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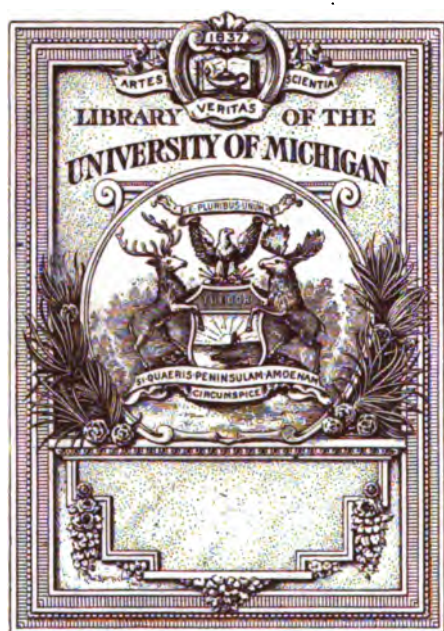
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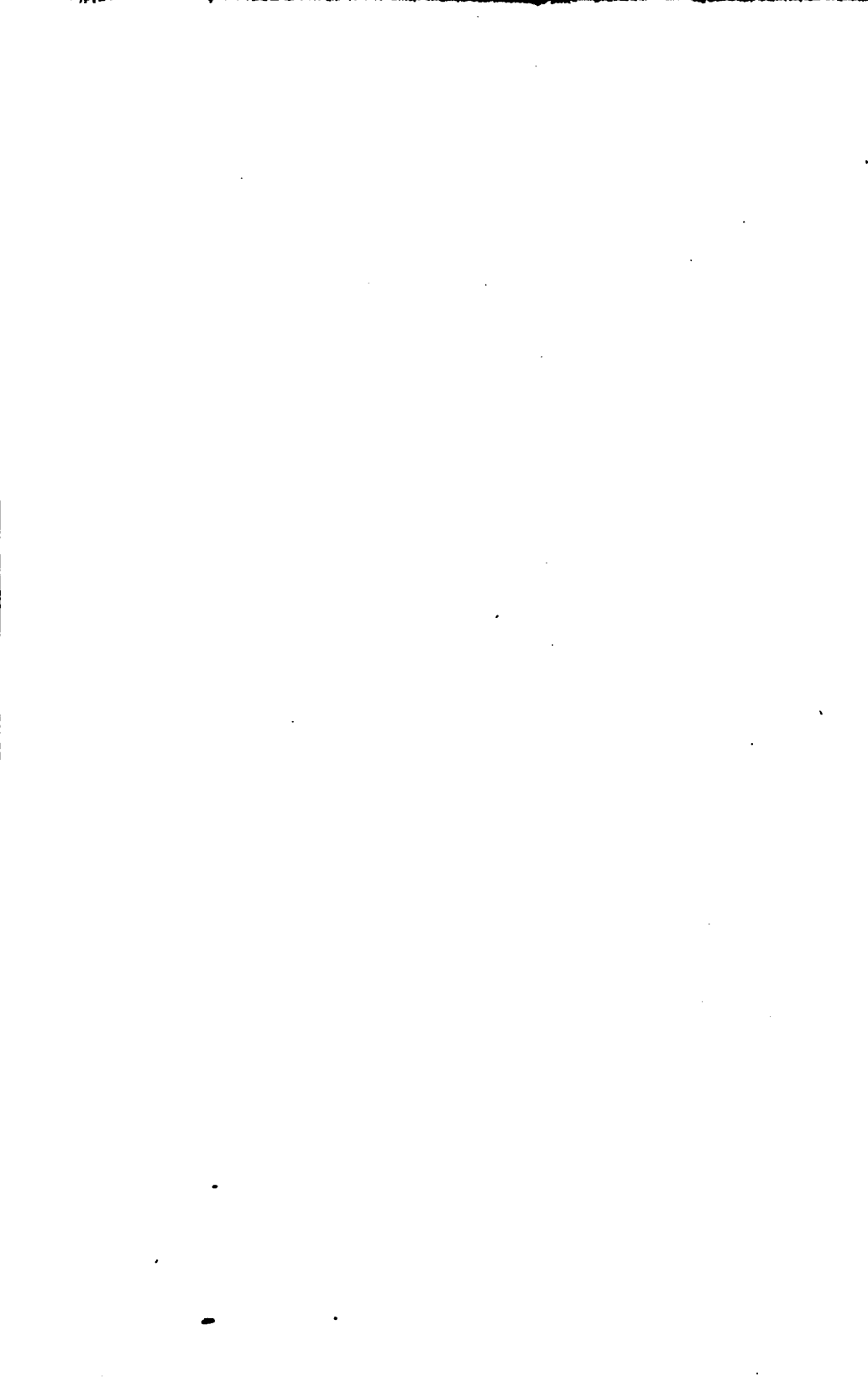


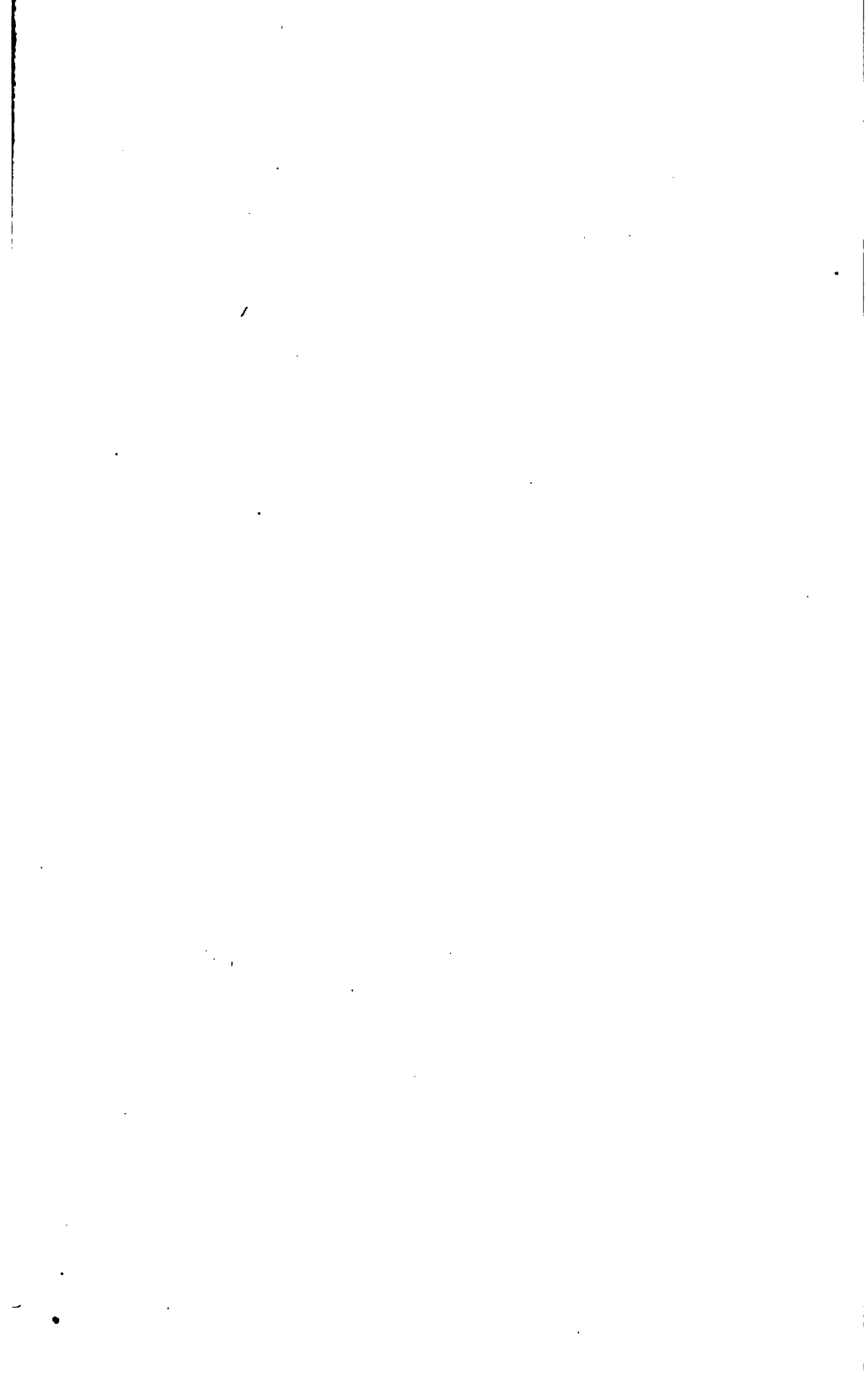
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# **JOURNAL**

**OF THE**

## **HOUSE OF REPRESENTATIVES**

**OF THE**

### **TENTH GENERAL ASSEMBLY**

**OF THE**

#### **STATE OF IOWA,**

**WHICH CONVENED AT THE CAPITOL, IN DES MOINES, JANUARY 11TH, 1864.**

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**DES MOINES:**

**F. W. PALMER, STATE PRINTER**

**1864.**





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# JOURNAL

OF THE

## HOUSE OF REPRESENTATIVES.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, JANUARY 11, 1864. }

The hour prescribed by law for the meeting of the General Assembly having arrived, Mr. Nicholas Bayless, a person claiming to be a member from the County of Polk, called the House to order, and upon motion of W. J. Moir, of Hardin County, Mr. Charles Weare, of Linn County, was elected Speaker *pro tem*.

Mr. A. H. Berreman, of Henry County, moved that J. H. Sanders, of Keokuk County, be elected Chief Clerk *pro tem*., which motion prevailed.

On motion of Mr. McNutt, Geo. P. Abel, of Polk County, was elected Assistant Clerk *pro tem*.

On motion of Mr. Finkbine, Mr. Zimri Streeter was elected Sergeant-at-Arms *pro tem*.

On motion of Mr. McNutt. Mr. John Patterson was elected Door-keeper *pro tem*.

On motion, Mr. J. E. Gile, of Polk County, was elected Fireman *pro tem*.

On motion of Mr. McNutt, it was ordered that a Committee of five on Credentials be appointed.

The Chair announced the following gentlemen to constitute said committee:—Messrs McNutt, Merriam, Parker, Hildreth and Bell.

Mr. Hildreth moved that the Committee on Credentials be instructed to report on to-morrow morning, which motion prevailed.

On motion the Roll of Representative Districts was called, and the credentials of members were presented.

Mr. McNutt moved that when the House adjourn, it be until ten o'clock to-morrow morning. Adopted.

On motion of Mr. Dorr, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
TUESDAY, JANUARY 12th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. P. F. Bresee.

Journal of yesterday read and approved.

#### REPORTS OF COMMITTEES.

Mr. McNutt, from Committee on Credentials, reported as follows :

Your Committee to whom were referred the credentials of persons claiming seats in this House, having examined the same, beg leave to report that they find the following named persons entitled to seats as members :

1st Dist.—Ferdinand Meissner, B. S. Merriam, and Washington Galland.

2d Dist.—William C. Garrett and J. W. Latham.

3d Dist.—F. H. Cary and D. A. Hurst.

4th Dist.—E. F. Horton.

5th Dist.—Elijah Glendening.

6th Dist.—J. R. Andrews.

7th Dist.—Joseph J. McMakin and James Bruce.

8th Dist.—H. R. Lyons and A. H. Bereman.

9th Dist.—Geo. C. Fry and Owen Bromley.

10th Dist.—Peter Knox and Edward H. Stiles.

11th Dist.—John Clark.

12th Dist.—H. H. Day.

13th Dist.—

14th Dist.—N L. Van Sandt.

15th Dist.—T. L. Buckham.

16th Dist.—William Hale.

17th Dist.—Enoch Potter.

18th Dist.—Samuel A. Russell and Nathan Littler.

19th Dist.—Joseph Andrews and R. S. Mills.

20th Dist.—J. N. H. Campbell and Ephraim Munsell.

21st Dist.—John L. McCormack and Stephen Y. Gose.

22d Dist.—S. B. Lindsay.

23d Dist.—John E. Darby.

24th Dist.—A. J. Bell.

25th Dist.—Jacob Butler and Samuel McNutt.

26th Dist.—Robert S. Finkbine and Warner Spurrier.

27th Dist.—S. G. Sweet.

28th Dist.—R. Sears.

29th Dist.—Salem Jeffries.

30th Dist.—Nicholas Baylies.

31st Dist.—Elwood Lindley.

32d Dist.—Hugh M. Thompson and Hugh M. G. Skiles.

33d Dist.—George W. Parker and Samuel G. Magill.

34th Dist.—John W. Stanton and William P. Wolf.

35th Dist.—Ebenezer Dorr and Henry Green.

36th Dist.—John Russell.

37th Dist.—John P. Carbee and Charles Weare.

38th Dist.—Alexander Runyon.

39th Dist.—Phineas Helm.

40th Dist.—O. F. Hixson.

41st Dist.—

42d Dist.—Joseph W. Simpson.

43d Dist.—D. D. Holdridge.

44th Dist.—Cicero Close.

45th Dist.—

46th Dist.—William J. Gilchrist and Henry White.

47th Dist.—P. F. Sturgis.

48th Dist.—John E. Burke.

49th Dist.—Henry C. Vinton.

50th Dist.—Charles Paulk.

51st Dist.—Ole Nelson and James H. Brown.

52d Dist.—Thomas R. Perry.

53d Dist.—

54th Dist.—A. B. F. Hildreth.

55th Dist.—George M. Maxwell.

56th Dist.—

57th Dist.—Charles D. Pritchard.

58th Dist.—Edward McKnight.

59th Dist.—John Smith.

60th Dist.—James W. Logan.

61st Dist.—William L. Joy.

62d Dist.—

63d Dist.—

64th Dist.—E. B. Fenn.

65th Dist.—W. B. Davis.

66th Dist.—William Elliott.

Your Committee would further report that Salem Jeffries of 29th District; William J. Moir, of 45th District; Samuel B. McCall, of 56th District, and Addison Oliver, of 62d District, are present, but without certificates from causes beyond their control, and from the evidence brought before your committee, we are fully convinced that they are entitled to seats in this House, and recommend their admission.

SAMUEL McNUTT, Chairman.

Your Committee would further report that the certificates from the following named districts are without revenue stamps, viz; Districts No. 1, 4, 5, 6, 7, 10, 11, 15, 16, 17, 35, 39, 46, 50, 51, 52, 54, 57, 58, 60, 61 and 66.

SAMUEL McNUTT, Chairman.

Mr. Galland moved that the report of the Committee be adopted. The motion prevailed, and the report was adopted.

Mr. McNutt moved that the oath of office be administered to the members. Carried.

The members then arose in their places, and the oath prescribed by the Constitution was administered by the Speaker *pro tem*, and thereupon the members respectively came forward to the Clerk's desk, and subscribed the oath prescribed by law.

Mr. Butler then administered the oath to the Speaker *pro tem*.

Mr. Moir moved that we now proceed to the election of permanent officers of this House. Carried.

The House then proceeded to the election of Speaker.

Mr. Bereman nominated Mr. Butler, of Muscatine.

Thereupon a vote was taken with the following result.

Whole number of votes cast.....80

Mr. Butler received.....80

Mr. Butler having received all the votes cast, was declared duly elected Speaker of the House.

The Chair appointed Messrs Bereman and Paulk to conduct the Speaker to the chair.

On taking the chair, Mr. Butler addressed the House as follows :

GENTLEMEN :—I tender you my thanks for the honor you have conferred upon me, in choosing me as your Speaker. Inexperienced in the responsible duties of the chair, I shall require and expect the same indulgence towards my shortcomings which has guided you in your selection.

Meeting as you do in the most eventful period of our history as a Nation, I trust we shall show by our acts, as legislators, that we are not unworthy children of an honored ancestry. If we can but do our duty as well and faithfully in this hall, as the brave men who represent our State on the field of battle perform theirs, we shall make a record of which we need not be ashamed. If we can make our session a short, working one, filled with deeds rather than vague and general discussion, we shall demonstrate more clearly than in any other way, that the great powers conferred upon us by our constituents, have not been misplaced. I promise you, gentlemen, my best efforts towards these ends, and again return you my sincere thanks for this most flattering expression of your partiality.

The House then proceeded to the election of Chief Clerk.

Mr. Galland nominated Jacob Rich, of Buchanan county.

Whole number of votes cast.....81

Of which Jacob Rich received.....81

Mr. Rich having received all the votes cast, was declared duly elected Chief Clerk of the House.

Messrs. Gue and Dixon, a committee from the Senate, informed the House that the Senate was duly organized, and ready to proceed to business.

The House then proceed to the election of 1st Assistant Clerk.

Mr. Baylies nominated Geo. P. Abel, of Polk county.

A vote was then taken with the following result :

Whole number of votes cast.....82

G. P. Abel received.....81

Mr. Paulk..... 1

Mr. Abel having received a majority of all the votes cast, was declared duly elected.

The House then proceeded to the election of 2d Assistant Clerk.

Mr. Lyon, of Henry county, nominated S. A. Clark, of Henry county.

Whereupon a vote was taken with the following result :

Whole number of votes cast.....78

S. A. Clark received.....77

Mr. Clark having received a majority of all the votes cast, was declared duly elected 2d Assistant Clerk of the House.

The House then proceeded to the election of Engrossing Clerk.

Mr. Merriam nominated A. D. Aldrich, of Lee county.

A vote was then taken with the following result.

Whole number of votes cast.....86

A. D. Aldrich received.....86

Mr. Aldrich having received all the votes cast was declared duly elected.

The House then proceeded to the election of Enrolling Clerk.

Mr. Darby, of Madison, nominated C. S. Wilson, of Madison county.

Whereupon a vote was taken with the following result :

Whole number of vote cast.....67

C. S. Wilson received.....67

Mr. Wilson having received all the votes cast, was declared duly elected Enrolling Clerk of the House.

The House then proceeded to the election of Sergeant at Arms.

Mr. Close nominated Z. Streeter, of Blackhawk county.

A vote was then taken with the following result:

Whole number of votes cast.....74

Mr. Streeter received.....74

Mr. Streeter having received a majority of all the votes cast, was declared duly elected Sergeant at Arms of the House.

Mr. Merriam offered the following resolution :

*Resolved*, That the Speaker be directed to employ Marion York and Geo. Bailey as 1st and 2d Messengers. Joseph Ivers and Victor Peters as 1st and 2d Paper Folders. Harmon Rupp and J. E. Guild as 1st and 2d Firemen, and Geo. Bailey, of Dallas, as Doorkeeper, of the House.

The resolution was adopted.

Mr. Littler offered the following resolution :

*Resolved*, By the House of Representatives, the Senate concurring, that A. P. Burrhus be appointed Postmaster of the General Assembly, and that he be authorized to employ a mail carrier.

Mr. Hildreth moved to amend, by inserting the name of Mr. Tucker as said mail carrier.

Mr. Merriam moved that the name of Theodore Guelich be inserted as said mail carrier.

Mr. Maxwell moved to table the whole matter. Not Carried.

The motion to insert the name of Mr. Guelich prevailed, and the resolution as amended was adopted.

The officers elect presented themselves and were sworn in.

Mr. Russell, of Washington, moved that a committee of two be appointed to wait upon the Senate, and inform that body that the House was organized, and ready for business.

The resolution was adopted, and the Speaker appointed Messrs. Russell and Skiles.

Mr. Moir offered the following resolution which was adopted :

*Resolved*, That the rules of the last session be temporarily adopted; and that a committee of five be appointed to prepare and report rules for the government of this House; and that the Chief Clerk of this House be requested to procure and have attached to the rules of this House, the name, post office address, age, place of nativity, occupation and boarding place of each member of this House, and the officers thereof.

The Speaker appointed Messrs. Moir, Finkbine, Hale, Logan and Baylies on said committee.

Mr. McNutt offered the following resolution :

*Resolved*, That the Pastors of churches of this city be invited to officiate as Chaplains of this House, and to arrange among themselves the order in which they will act.

Mr. Russell, of Washington, moved to adjourn till 2 o'clock. Carried.

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TWO O'CLOCK, P. M.

House met as per adjournment.

Mr. ——— offered as a substitute for the resolution of Mr. McNutt, that the Clergymen of this House be invited to open the morning session with prayer.

Mr. Baylies moved to amend the resolution by inserting "pastors of the several churches," instead of "clergymen." Carried.

Mr. Weare moved to strike out all after the word "resolved," and insert, "That we now proceed to elect a Chaplain."

Mr. Oliver moved to amend by adding, "and that his compensation be fixed at \$100 for the session."

Mr. Maxwell moved to lay the amendment and substitute on the table. Carried.

The resolution was then adopted.

Mr. McNutt offered the following resolution :

*Resolved*, That a committee of two be appointed to wait upon the Governor, and inform him that the House is organized, and ready for any business he may see fit to communicate.

The motion prevailed, and the Speaker appointed Messrs. McNutt and Weare said committee.

Mr. Burke offered the following resolution :

*Resolved*, That the Secretary of State be instructed to furnish each member of the House with a copy of the Revision of 1860.

Resolution adopted.

Mr. Russell, of Washington, reported that the committee appointed to wait upon the Senate, had discharged their duty.

The committee appointed to wait upon the Governor, reported that he would soon send a communication to this House.

The following message was received from the Senate, by the hands of their Secretary, Mr. Davis :

**MR. SPEAKER:**—I am directed to inform the Honorable House of Representatives, that the Senate has adopted the following concurrent resolutions, in which the concurrence of the House is asked :

*"Resolved by the Senate, the House of Representatives concurring,* That the Post Master of this General Assembly be directed to employ Theodore Guelich, of Des Moines county, as Assistant Postmaster, whose compensation shall be hereafter determined."

*"Resolved by the Senate, the House of Representatives concurring,* That the two Houses will meet in joint convention, for the purpose of canvassing the votes for Governor and Lieutenant Governor tomorrow at 10 o'clock, and that the inauguration of the Governor and Lieutenant Governor shall take place on Thursday, January 14th, at 11 o'clock, A. M.

WM. F. DAVIS, Secretary of Senate.

Mr. Moir moved to concur in the first resolution. Carried.

Mr. Bereman moved to concur in the second resolution.

Mr. Gilchrist moved to amend by striking out 11 o'clock, and inserting 2 o'clock. Lost.

The motion to concur was carried.

A message was received from the Governor by the hands of his private Secretary.

On motion of Mr. Russell, the Governor's Message was then taken up and read, as follows :



*Gentlemen of the Senate, and House of Representatives :*

I am happy to be able to congratulate you upon the prosperity of our State. During the last two years our people have enjoyed their usual good health and have secured reasonably good harvests. Labor has been well rewarded, and the products of labor have brought renumerative prices. The educational interests of the State are as prosperous as ever; and peace and good order within our borders, although one or two occasions somewhat imperiled, have been maintained.

Let us render thanks to God for these blessings vouchsafed us during the existence of a desolating war, that has so scourged a large portion of our land.

## FINANCES.

Our State finances have never before been in a more healthy condition. Our entire State debt is only \$622,295.75, consisting of loan from School Fund \$122,295.75; loan of 1858 \$200,000, and war loan of 1861 \$300,000. Of the \$800,000 of War Bonds authorized to be sold, \$500,000 remain on hand—none have been offered since the \$300,000 were sold; and it is believed no further sales will be necessary.

The report of the State Auditor shows that the moneys now in the Treasury, the delinquent taxes, the amount estimated to be due from the United State, and the taxes for 1863 and 1864, are sufficient to pay the estimated expenditures for the next two years, the outstanding Warrants on the Treasury, and our entire State debt, leaving a balance in favor of the Treasury of about \$200,000.

Provision should be made for the redemption of the bonds issued in 1858 and 1861-2 as they fall due. I recommend that a sufficient sum be set aside, annually, for this purpose, and invested with its accumulations, in United States or other good stocks. In my judgment, the amount due the School Fund should be permitted to remain as a permanent debt of the State. The State is trustee of this fund and liable for all losses thereto; and there can be no safer mode of investing this amount of the fund, than the present.

The report of the Auditor still shows a large amount of delinquent taxes. So much of this as is due upon real estate will be finally paid; but it is thought, a very considerable portion of the delinquency is due upon personal property, by persons not owning any real estate, much of which will be lost.

Under our revenue law real estate is assessed biennially, and personal property annually. The assessments are made between the 1st of January and the 1st of April; the levy is made in September, and the taxes become delinquent on the 1st of February of

the next year. It thus happens that persons may bring into the State, for sale, or may buy within the State, large amounts of personal property, which are assessed to them for taxation; may keep and use the same, within the State, more than a year, and finally dispose of it before the tax becomes delinquent; and if such persons do not own real estate in the same County in which the personal property was assessed, there are no means of compelling payment of the taxes due. This defect in the law should be remedied in justice to the State, and to the owners of real estate, who already bear their full share of the public burdens.

I renew the following recommendations, made by me to the Ninth General Assembly:

"In order to make the revenue of the State more certain, I recommend that the County Treasurers be required by law to pay the State Treasurer, at fixed times, certain proportions of the amount of revenue due to the State, until the entire sum for each year is paid, whether the County Treasurers have received the entire amount of State tax or not. At present the State is wholly helpless as to its revenue. It has to depend wholly upon the officers of Counties for its collection and transmission, and if the County officers are inefficient, the State is remediless. Each County is now liable by law to the State for the amount of State tax assessed in it, but this liability, without any means of making it effective, is useless. If the counties were required to pay the revenue due the State, whether collected or not, the County Supervisors would be stimulated to require of the Treasurer a strict performance of his duties; and if, in addition, you should so change the present law as to give County Treasurers in lieu of salary, a per centum on the amount of money collected and disbursed, or provide for township collectors, to be paid in the same way, our taxes would, in my opinion, be more punctually paid.

"I also recommend that it be made the duty of the Board of Supervisors of each county to employ a competent accountant, once in each year, to examine the accounts of each county officer, and state an account between each officer and his county, and between officer and officer; and also that County Treasurers, and all other persons who receive public moneys, be prohibited, under severe penalties, from using them in any way, or placing them with others to be used, for their private benefit."

There is due this State, from the United States, for expenses incurred by the State in raising and equipping troops, and sending them to the field, and for other purposes growing out of the rebellion, the estimated amount of \$300,000. There is much difficulty in procuring an adjustment of this claim at Washington.

When these moneys were expended by the State, there was no law of Congress, or regulation of the Federal Government prescribing the form in which proof of the expenditures should be taken; and the General Assembly of this State provided, by law, for such

proofs and vouchers as were deemed sufficient, both for the protection of the State and the United States. Upon presentation of these proofs and vouchers to the proper Department at Washington, they are found not to comply, in form, with regulations since adopted by that Department; and it is doubtful whether they will be allowed without some legislation by Congress. Some portions of these expenditures, thus made, are also objected to as not coming within the letter of existing laws of the United States. Among these are the sums paid by the State for the subsistence and pay of the troops that went from this State to Missouri, at the request of United States officers, under command of Colonels Edwards and Morlege.

There is, also an unsettled claim against the United States, for expenditures by the State, for the protection of our people during the two winters following the massacre on our north-western frontier, by Ink-pa-du-tah and his band. The United States are also, in my judgment, justly liable for the amounts expended by this State in protecting our people on the north-western and southern borders since the commencement of the rebellion. I recommend the appointment of an agent of the State to proceed to Washington to press the adjustment of these claims, and to secure, if necessary, additional legislation by Congress for that purpose.

The expenditures of the State on the north-western and southern borders, are made payable, by law, out of the War and Defense Fund. This fund was found to be insufficient, and, in June last, a large amount of warrants on that fund were outstanding and drawing interest for want of means to pay them. There was, at the same time, a large amount of ordinary revenue in the Treasury not needed for ordinary expenses, and the Auditor and Treasurer, upon consultation with me decided to apply the ordinary revenue to the payment of the War and Defense Fund Warrants, so far as it could be done without interfering with the payment of ordinary revenue warrants as presented. This was done to the amount of about \$159,000, and thereby a considerable amount in interest was saved to the State. As some doubt exists as to the strict legality of this course the matter is laid before you that you may take such action as may be necessary. If the amount due from the United States could be recovered, it would, probably, be sufficient to reimburse the revenue, fund and redeem all outstanding warrants and claims on the War and Defense Fund.

In my judgment all real estate should be carried on the tax books in the name of the true owners; and this result can be effected with very little labor and expense, by requiring the Treasurers to furnish the Assessors with complete lists of the names of all real estate owners, as shown by the last tax book; to correct the names erroneously entered, whenever such error is shown upon the payment of taxes, and by requiring all deeds to be presented to the Treasurer

for the transfer of the real estate therein described to the new owner, before the same can be recorded.

I recommend the enactment of a law for receiving the new national currency, and a modification of the present law for receiving the notes of branches of the State Bank, that both may be available in payment of taxes. As the law now stands, the notes of said branches cannot, legally, be received after any one of them shall have suspended specie payment. A change of the law so as to authorize the receipt of these notes, so long as they shall be redeemed in legal tender notes of the United States, would in my judgment, be wise and proper.

I cannot leave this subject without special mention of the Board of Auditing Commissioners. I am well satisfied, that, to their faithful and impartial discharge of their duties, the State is largely indebted for its protection against improper claims, and consequently for its healthy financial condition.

#### THE SCHOOL AND UNIVERSITY FUNDS.

The situation of these funds demands your earnest attention. You are their guardians and custodians. Upon their management depends to a great degree, the educational interests of the State; and upon the proper education of our youth depends the welfare and safety of our Government.

I cannot approve the system by which these funds are now managed. The principal, received by the State in cash, has been distributed among the counties, to be loaned to individuals by certain county officials; at one time by the School Fund Commissioners, at another by the County Judges, and now by the County Clerk, subject to a limited control by the Board of Supervisors. Would any of you, having a large amount of money to lend, lend it through those agencies? If not, is it right to do so with the public money? Is it not right and proper that you should do, in regard to these funds just what you would were they your private property? The present system is, in my judgment, a bad one, for two reasons. In the first place, it must happen in many cases, that the County Clerk is not fitted, by previous business training, to make safe and judicious investments; especially, he may not have the necessary legal knowledge to enable him to determine, accurately, the sufficiency of the title to real estate offered as security for a loan. In the second place, the money may be used to promote personal or political objects. A corrupt Clerk will use, and an honest but weak one will be sorely tempted to use his power to lend these moneys to secure his own political interest, or that of his party friends. The system, in my opinion, is wrong in theory, and that it is unsafe in practice is clearly shown by the large amount of insufficiently secured principal and delinquent interest. I therefore earnestly recommend that the lending of any portion of the principal of said funds as hereto-

fore, be prohibited, and the enactment of a law that will require the investment, by the Treasurer of State, of such principal, as the same may be paid in, in stocks of the United States, or of this State.

In this connection I request your special attention to the Report of the Auditor of State on this subject.

#### SCHOOL AND UNIVERSITY LANDS.

The School Lands consist of the five hundred thousand acres grant, and the Sixteenth Section. Large quantities of these Lands have, from time to time, been sold by county officers, authorized by law to make such sales. These sales have been generally made upon time, the purchaser paying in hand a portion of the purchase money, and taking a contract entitling him to a patent from the State upon the payment of the balance with annual interest. Many of these sales were made at high prices, before the monetary revulsion of 1857, and many of the purchasers have, since that revulsion, failed to pay either principal or interest. Portions of the lands have thus become forfeited to the State for non-payment of the purchase money, and have been re-sold to other parties. But there is no sufficient provision of law requiring such forfeitures and re-sales to be reported to any State officer, and the result is that it is now impossible to ascertain, from any record at the Capitol, the number of acres or the particular description of the several parcels of the School Lands yet unsold.

This condition of affairs should not be permitted to continue, and I recommend the enactment of such laws as will remove the difficulty.

The Saline Lands and Funds are now "a part of the Permanent Fund" of the State University. I call your attention to that part of the Report of the Register of the State Land Office, which shows the necessity for further legislation in regard to the issuance of Certificates of full payment for the portion of these lands already sold, and recommend that the Treasurer of the University be authorized to issue such certificates, and that the power to sell the unsold portion of the lands be vested in the Trustees.

In many cases School Lands were sold, prior to 1857, at such high prices that, after that date, they were not worth the amount due on them. The purchasers have ceased to pay either principal or interest. I suggest the inquiry, whether it would not be well to provide for the surrender of these lands to the State, the purchaser being relieved from further liability, by forfeiting payments already made, without resort to legal proceedings.

I call your particular attention to the full and able report of the Register of the State Land Office. It contains much valuable information touching the various land grants made to the State, and suggests several points upon which further legislation is needed.

## THE 500,000 ACRES GRANT.

As I have elsewhere stated, it is not possible to ascertain, in any office here, the amount or the description of the various parcels of this land yet unsold by the State. The records of the Register show the amount that has been patented to purchasers, but do not show how much of the balance has been sold or is held under contract of sale, and how much is unsold. This is also true of the Sixteenth Section lands. The Ninth General Assembly provided, by law, for the purchase, for the use of the School Fund, of lands mortgaged by borrowers of that fund, as security, but the law does not provide for the making of a return to the Register, of lands thus purchased and of sales made thereof by the officers authorized to sell. Information on all these points can be had, only, in the various counties. Under these circumstances, it is clearly impossible for the State to exercise over these lands and their proceeds, that vigilant superintendence it should exercise. These lands were granted to the State, in trust, for educational purposes, and good faith to the grantor, as well as the best interest of the State, involved in the education of our youth, require the utmost care and vigilance in the execution of the trust.

I therefore recommend the passage of a law making it obligatory upon the proper county officers to make return to the Register of all the lands of the Sixteenth Section and the 500,000 Acres Grant, sold in their respective counties, the dates of sales, the names of the persons to whom sold, the terms of sale, and the extent to which these terms have been complied with, the forfeitures to the State for non-payment, and the re-sales of the lands thus forfeited, with full particulars, and like full information concerning the lands mortgaged by borrowers of the School Fund, and purchased by the State for the use of the said fund. To secure uniformity, it would be well to require the Register to furnish forms to the county officers, and to secure the making of the returns, it would also be well to provide for the punishment of any officer failing to make them.

The University Grant Lands are now under the control of the Trustees of the University, and the Saline Lands now belonging to the University, should, I think, be under the same control. I recommend, however, that the Register be required to call for, and the Trustees to furnish information in regard to these lands, similar to that above named in regard to the School Lands, that the Register may have, in his office, full and particular evidence of their situation.

## THE DES MOINES RIVER GRANT.

Portions of these lands above the City of Des Moines, have been sold to individuals whose titles are now contested by certain Rail-

road Companies. I repeat a portion of my communication to the Ninth General Assembly, on this subject, as follows:

"The State having only conveyed what title it had to these lands may not be, legally, liable to make good any loss resulting to others from a failure of that title; but, certainly, is morally bound at least, to do what may be reasonably and fairly done to protect the rights and interests of those threatened with such loss. When the State granted to the Railroad Companies the lands granted to the State by Congress for Railroad purposes, it was not contemplated by the parties, certainly it was not contemplated by the State, that it was granting to these Companies lands previously conveyed by the State to others; and if, since the making of these grants the Companies who are to receive the benefit of them, have discovered that, by strict legal construction, they are entitled to more than was contemplated, either by themselves or by the State, and are disposed to enforce strictly, these legal rights to the injury of innocent purchasers from the State, the State may, and, I think, should hold these Companies in all things to a strict compliance with the terms of the grants made to them. If these Companies are now in default, and ask the indulgence and clemency of the State, it seems to me the State may, very properly, before extending such indulgence and clemency, enquire and know what indulgence and clemency these Companies will extend to the unfortunate holders of these lands, and make for the one, with the other, such terms and conditions as may be equitable and just to all."

At that Session, a law was passed forbidding the Governor to certify any further lands to the Dubuque and Sioux City Railroad Company, until said Company should have released to the State for the benefit of her grantees, the title to such of these lands as were claimed by that Company. No such release has been given, nor have any further lands been certified to said Company.

There is another conflict of title between the Des Moines Navigation Company, claiming as grantee of the State, and the Railroad Companies touching which the Report of the Register will afford you much valuable information. It is very desirable that these conflicts should be settled, because so long as they remain unsettled, the uncertainty of the title will prevent purchasers from either of the contesting parties, and the lands will remain vacant.

The joint resolution of Congress of date March 3d, 1861, and the Act of Congress of date July 12th, 1862, concerning these lands have, in my judgment, put it in the power of the State to do something towards an amicable and equitable adjustment of this difficulty, and I recommend that an effort be made to that end. I further recommend that, if such effort shall fail, the Attorney General of the State be directed to bring or cause to be brought in the Courts of the United States, if it may be done, such suit or suits as



will procure from the Supreme Court of the United States a final decision of these vexed questions.

#### THE SWAMP LAND GRANT.

I recommend the modification of the law approved April 8th 1862, providing for the appointment of agents in regard to these lands, so as to allow the appointment of but a single agent on the part of the State, and to prohibit the appointment of special agents by counties. I am well satisfied that a single agent appointed by the State, will be able to effect more towards a speedy settlement of the Swamp Land business of the State, at Washington, than a larger number will do.

The same reasons which render desirable the settlement of the conflicting claims of the Railroad Companies, and the grantees of the State to portions of the Des Moines River Grant, apply with equal force to the conflict of title that has arisen between certain counties and the Railroad Companies as to portions of the Swamp Lands. I invite your careful examination of the question, whether you can do anything to bring about a settlement of these conflicting claims.

The Swamp Lands are granted to the State upon the condition "that the proceeds of said lands, whether from sale or direct appropriation, in kind, shall be applied, exclusively, as far as necessary, to the purpose of re-claiming such lands, by means of the levees and drains aforesaid." The State by accepting this Grant, covenanted to perform this condition, either directly, or by those to whom she granted the lands; and this obligation still remains, and must continue to remain until it shall have been done. I recommend a careful examination of the legislation already had in regard to these lands, for the purpose of ascertaining if this point has been sufficiently secured, and supplying additional legislation, should it be found necessary.

I invite your special attention to that portion of the Report of the Register relating to the decision of the Secretary of the Interior, changing the form and substance of the proof required, of the swampy character of the lands sold by the United States, after the date of the Swamp Land Grant, for which the United States are to indemnify the State, and the decision of that officer, cutting off all claims for indemnity in counties where the Swamp Land selections were made after the 3d of March, 1857; and I recommend that you take the action suggested by the Register on these points. There can be no good reason why the claims of Iowa, under this Grant, shall not be settled upon as liberal terms as the claims of other States; and if, by want of county organizations in a portion of our State, the proper steps were not taken to secure these lands in those counties within the time limited by law, I have no doubt that Con-

gress will upon a proper presentation of the facts, extend the time so that it may yet be done.

#### AGRICULTURAL COLLEGE GRANT.

Under the Act of Congress, approved July 2d, 1862, granting lands to the States and Territories which may provide Colleges for the benefit of agriculture and the mechanic arts, this State is entitled to receive 240,000 acres of land, upon the conditions contained in said Act. These lands have been selected, and the selections are now being examined at Washington.

Among the conditions contained in the Act making the grant, are the following: that "no portion of said fund," (meaning the proceeds of the sales of the land granted,) "nor the interest thereon shall be applied, directly or indirectly, under any pretence whatever to the purchase, erection, preservation or repair of any building or buildings," and that "any State which may take and claim the benefit of this Act, shall provide, within five years, at least, not less than one College, as described in the fourth section of this Act, or the grant to such State shall cease, and said State shall be bound to pay the United States the amount received for any lands previously sold, and that the title to purchasers, under the State, shall be valid."

The fourth section of the Act provides, that all the proceeds of the lands granted, (except one-tenth of the amount, which may be expended for the purchase of lands for sites, or experimental farms,) shall be invested in stocks of the United States, or of the States, or some other safe stocks," \* \* \* "and the interest shall be inviolably appropriated, by each State which may take and claim the benefit of this Act, to the endowment, support and maintenance of, at least, one College, where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture, the mechanic arts, &c."

The grant, thus made to the State, is a magnificent one, being about five times as large as that made for the support of the State University, and will, if properly husbanded and cared for, make a rich endowment. But, to secure the grant, sufficient funds must be provided outside the grant, to erect the necessary buildings; and then funds must be provided to meet the current yearly expenses, until a quantity of the lands can be sold, the interest of the proceeds of which, invested as required by the law making the grant, will support the institution.

If these funds cannot be furnished or provision made in some other way to comply with the terms of the Grant, the State will lose the great benefits she may otherwise derive from this magnificent donation. I recommend the subject to your careful consideration.

## THE SUPREME COURT.

I very earnestly recommend to you the passage of a law providing for the early appointment and subsequent election of an additional Judge of the Supreme Court; and also, that you make an appropriation of the sum of five thousand dollars to be expended under the direction of the Court, for the purchase of law books for the State Library.

The first of these measures I deem necessary to enable the Court to do its work promptly, and the second, to enable it to do it well. This tribunal is one of the most important branches of our State Government. Upon its action more, perhaps, than upon that of any other branch of the Government, must our people depend for security for life, liberty and property. Questions are continually brought before it, from all parts of the State, affecting the most important interest of the parties to those questions; and the rules and principles established in deciding them, become rules and principles controlling the interest of every resident of the State. It is, therefore, of the first importance that the Court shall have time to examine all questions fully and carefully before deciding, and that it should have the means of making that examination intelligently. The Court now consists of only three members, and the amount of business before it is such, that, either great delay must ensue in disposing of it, or it must be transacted in such haste as to preclude proper examination and deliberation. The addition of another Judge will largely increase its working capacity, and will afford more time for careful and intelligent action.

The absolute necessity for a good Law Library, to a court of last resort, must be apparent to all. It is as unreasonable to expect learned and correct decisions from a court deprived of a good library, as it is to expect good and well finished work from a mechanic without tools. The Reports of other States contain the well considered opinions of their most learned Judges; the elementary works contain the principles upon which our whole legal system is based, and to require our Judges to decide cases involving questions affecting the most vital rights and interests of our people, without the opportunity to consult these fountains of law, is unreasonable in itself, and tends to render doubtful and uncertain the principles controlling and protecting these rights and interests.

## THE STATE UNIVERSITY.

This institution is now in a very flourishing condition. The number of students in attendance at the present time, is over three hundred and fifty, and they come from all parts of the State. The Faculty are devoted to the interests of the institution, and it is rapidly becoming, what it was intended to be, an honor to the State and a powerful aid in promoting her highest interests.

I renew my former recommendation, that provision be made, by law, for a Military Professorship in the University. Such professorship will not only popularize the institution, but will impart to our young men a kind of knowledge, the want of which has cost us many men and much treasure, since the commencement of the rebellion; and the necessity for which, in the future, the history of other nations teaches, may come upon us at any time.

The Board of Education, at their last session, directed the Trustees of the University to establish a Military Professorship as soon as the General Assembly should make the necessary appropriations. I have placed two hundred stand of arms, with accoutrements, in the hands of the Faculty, and I earnestly commend the matter to your favorable consideration.

The present number of students in attendance upon the University is greater than the capacity of the University buildings to accommodate; and, with the prospective increase in numbers, these buildings will soon be entirely inadequate to the wants of the institution, and candidates for admission must be turned away for lack of room to receive them.

The former Hall of the House of Representatives, now used as a Chapel, is insufficient for the present numbers, and many are thus excluded from Chapel services. A larger hall is imperatively needed for Chapel, Commencement and all other exercises requiring the assembling of the whole number of students.

There are no suitable rooms for the Chemical Laboratory. This, to our agricultural State, is, perhaps, the most important department of our University. Chemistry is becoming daily a more liberal contributor to agricultural knowledge and success; and the advancement of chemical science in our State, through the State University, should be especially encouraged.

Our University will not be complete until it shall have an Astronomical Observatory connected with it. This has already become a prominent feature of the University of Michigan, and the demands of our more Western location will soon require it of us. A building may be erected to answer all these purposes at much less cost than to provide for them separately.

Our State now stands with the foremost of her sister States in her intelligent and heroic devotion to the political institutions of our country. She needs but to use her advantages to take an equally high position in science and literature. The people are ready to avail themselves of the facilities furnished, and only ask that the State shall supply them. I respectfully urge upon you such action as shall tend, ultimately, to place the State University of Iowa among the foremost of similar institutions in the land.

## STATE HISTORICAL SOCIETY.

I call your attention to the report of the Curators of the State Historical Society.

Passing events render the work of this Society vastly more important than ever before. We are now making history with wonderful rapidity, but are making it in a fragmentary manner. Future ages demand of us that we collect and preserve these fragments as material from which a full and reliable record of the great events of our day may be preserved. This, with the ordinary work of the Society in collecting the early history of our State, is more than it can well perform with the means at its disposal.

No man can be found to devote to it the necessary time without compensation. I recommend an appropriation of five hundred dollars, as compensation for this purpose, in addition to the five hundred dollars heretofore appropriated for other purposes.

## CHARITABLE INSTITUTIONS.

The Reports of the Trustees of the Blind Asylum and of the Asylum for the Insane, are herewith submitted. I recommend the appointment of a special committee to visit each of these institutions for the purpose of examining into their condition and wants, and that all may be done that the condition of our finances will allow, to make these institutions effective for accomplishing the noble objects for which they were founded.

I call your special attention to the final Report of Commissioner for superintending the erection of the Blind Asylum.

The Asylum for the Deaf and Dumb is still at Iowa City, in a building rented for that purpose. The annual rent paid is \$375. Whether it is advisable, at this time, to erect a new building, the interest on the cost of which will far exceed the rent now paid, or whether it is best to continue to occupy the rented buildings for a longer time, are questions properly committed to your judgment and discretion. The Report of the Trustees showing the expenditures for the last two years, and the estimates for the ensuing two years, are herewith submitted.

There has been a material increase in the prices of nearly all the articles required for the support of the pupils in these institutions, and consequently there should be a proportionate increase in the sums appropriated.

## THE PENITENTIARY.

I was notified by the Warden, in June, 1862, that the old shops in the prison yard had been destroyed by fire. The contract be-

tween the State and the contractors for the prison labor, required the State to furnish shop room to work the criminals. The contractors had, in a suit tried and determined before this fire, made the want of sufficient shop room the basis of a claim for heavy damages against the State, which had been allowed them, and I had good reason to believe the want of shop room, caused by the fire, would be made the basis of another similar claim. Under these circumstances, I requested the Attorney General to meet me at the prison, and after consultation with him, the Warden and myself entered into a contract with Messrs Winterbotham & Jones, contractors for the prison labor, for the erection of new shops, at a cost of \$8,504.67; which was paid as follows; Material from old shops, \$200; cash appropriated at the last preceeding Session for a new blacksmith shop, \$2,500; proceeds of judgment in favor of State against contractors, \$945.59; the balance of \$4,859.08 to apply on the amount due, or to become due to the State, from the contractors, for prison labor.

It is a matter of doubt whether I had the authority to make this contract; but as the necessity appeared to be imperative, and as the contract could be made without drawing from the Treasury any money not appropriated by law, I deemed it my duty, having due regard to the interests of the State, to make the contract, and did so.

The new shops were completed in accordance with the terms of the contract, and have been ever since in use. The old shops were illy arranged, inconvenient and unsightly, and situated as they were, near the centre of the prison yard, interfered materially with the preservation of proper order and discipline among the convicts. The new shops are large, substantial, and well arranged, and much more favorably located than the old ones.

A new contract has not as yet been made under the law passed at the extra session of 1862, for re-letting the convict labor. I have very serious doubts whether it is advisable, at this time, to re-let the whole of the labor. A large amount of work must necessarily soon be done in and about the prison. As our population increases, the number of convicts will increase, and of course there will be necessary an increase of cell room. This can now be had, most economically and advantageously, by building a Warden's house on the foundation already laid for that purpose, and using the part of the main building now occupied by the Warden, for cell room; and by raising the roof and walls of the main building so as to receive two additional tiers of cells. The wall on one side of the yard has not yet been built, and I understand some additional grading is needed before it can be. The convicts can do much of the labor required for these improvements as well as hired laborers, and at much less cost to the State. Should this policy be adopted, it may be necessary to employ a few additional guards, but the additional expense will

be much less than the difference between the cost of convict and other labor.

I have not been able to give as much time as I desired to supervising the affairs of the prison for the last two years; but I am of opinion everything has been done by the Warden and his subordinates, carefully, economically and well. The Warden's Report contains a full account of the receipts and expenditures, and a statement of what is, in his judgment, necessary to be done within the next two years. I invite your attention to this Report, and recommend the appointment of a special committee to visit the prison to examine the condition of the prison buildings for the purpose of determining the policy to be pursued in re-letting the prison labor.

#### ORGANIZING AND ARMING VOLUNTEER COMPANIES.

I became satisfied during the early part of last summer that designing men in this, as in other loyal States, were making preparations for an armed resistance to the authority of the General Government. The law of Congress, providing for a draft to fill the ranks of the Union Army, contained a provision that was eagerly seized upon to array the poorer of our people against the Government upon the specious pretence that the object of the law was to discriminate between the rich and the poor, to the injury of the poor.

The action of the Government, in freeing and using the slaves in the rebel States for the suppression of the Rebellion, was represented as a scheme, by the Government, to overrun the free States with the freed slaves, to the prejudice of the interest of the poor white man.

The Government had in some instances, arrested and temporarily imprisoned or sent beyond our lines, persons whose restraint the public safety required; and this was interpreted to mean, an intention on the part of the Government to break down all the defences of civil liberty, and to establish a despotism. The entire policy of our Government, as interpreted by these men, was that the war was waged, not for the preservation of the Union, but for the abolition of Slavery; that the object of the Government, in seeking to abolish Slavery was to bring the freed slaves North, and force their labor into competition with that of the poor white man; that by the so-called Conscription Law, the Government sought to force only the poor men of the country into the ranks of the army, to effect these objects so prejudicial to their interests, and that while these objects were being effected, the Government intended to overthrow our free institutions, and establish in their stead a despotism!

It is passing strange that intelligent men could be found so wicked as to make these statements, and that other men could be found so ignorant and foolish as to believe them. But so it was. These



statements were made through the press and from the stump, in the most violent and exciting language, apparently with all the earnestness of conviction, and thousands of honest, but deluded men, believed them, and in consequence entertained feelings of deep hostility to the Government. In this excited state of the public mind, secret societies were organized in many, if not all of the loyal States, the members of which were, to some extent, secretly armed for the avowed purpose of protecting themselves against what were called "Arbitrary Arrests," but as I am satisfied with the intent upon the part of the leaders to bring their members into armed collision with the General Government, in case any attempt should be made to enforce the draft. The natural result of these teachings and this action, was seen in the bloody riot that occurred in the chief city of the Union, and in similar smaller outbreaks in other places.

Under these circumstances, my duty seemed to me to be plain and clear. I was bound to see the enforcement of the laws and the preservation of peace and good order; and when organized action was being taken throughout the State to prevent the one, and violate the other, I did not think my duty permitted me to wait until the evil was upon us before I took steps for its prevention. I accordingly called upon the loyal men of the State, who were willing to aid in the enforcement of the law, to organize a volunteer military company in each county of the State. Such companies were promptly organized, in most of the counties, of loyal and substantial citizens, and as they were organized, I placed arms and ammunition in their hands to make their organizations effective. By these means a sufficient force was provided to preserve the peace of the State and insure the enforcement of the law of Congress, without weakening our army facing the enemy by withdrawing any portion of it for that purpose, and in my judgment, this state of preparation to preserve the peace, tended largely to prevent its violation.

There was but a single occasion in which it was necessary to use the force thus organized. About the first day of August last, as a number of persons, who had been attending a political meeting near the village of South English, in Keokuk county, were returning through that village, a collision took place between them and other persons in the village, in which a Mr. Tally, who had addressed the meeting, was killed. The friends of Tally, instead of appealing to the laws and the officers of the law for redress, chose to assume that the officers of the law would not do their duty. They sent runners to various points and in a short time had gathered, near Sigourney, the county seat of the county, a large body of armed men, who undertook to dictate to the officers of the law for what offence and in what manner, the persons charged with killing Tally should be tried and punished. Much alarm existed throughout the county. The county funds were sent off for safety, and arrangements were made to send away the county records; and orderly and

law-abiding people were in great anxiety and terror. As soon as these facts were made known to me, I at once ordered to Sigourney a sufficient number of volunteer companies, of infantry and artillery, to give protection to the people and the officers of the law, and to show those assembled for unlawful purposes, not only the hopelessness, but the danger of their attempt to overawe the authorities; and I am glad to be able to inform you that the display of force was sufficient to effect the desired object. As soon as it became known that a force was being gathered to sustain the law, the unlawful assemblage quietly dispersed, order and tranquillity were restored, and the officers of the law were left unmolested in the performance of their duty.

The Companies thus organized and armed are still in existence, and, should any further legislation be deemed necessary for their efficiency, I recommend that such legislation be had.

In closing this subject, I would return my thanks to the officers and men ordered by me to Sigourney and South English, on the occasion referred to, for the promptness with which they responded to the order, and their soldierly conduct and bearing while on duty.

At the commencement of the Session of the Ninth General Assembly, the State had organized and sent to the field fourteen Regiments of Infantry, three Regiments of Cavalry, and three Batteries of Artillery; and had in process of organization, two Regiments of Infantry and one of Cavalry. Of these Regiments, the First Infantry was enlisted for three months, and had then been mustered out of service. All the others were enlisted for three years. Since the commencement of that Session, the two Regiments of Infantry and one of Cavalry, then incomplete, have been organized, and in addition thereto, twenty-four Regiments of Infantry, five Regiments of Cavalry, and one Battery have been enlisted, and all for three years. Besides these complete organizations, a large number of men have been enlisted for Regiments in the field. I have not been able, as yet, to ascertain whether the quota of this State, under the last call of the President for volunteers to fill the ranks of our veteran Regiments, has been filled. If it has not, the deficiency cannot be large, if the proper credit has been given by the Provost Marshal General for our excess over all quotas previously called for, and can be easily and promptly filled by draft.

Besides the troops thus furnished to the army of the Union, there were organized, as required by the Acts of the Extra Session of 1862, five companies of mounted men for the protection of our north-western frontier against Indians, and ten companies of mounted men on our southern border, to protect the persons and property of our people on that line, against the depredations of organized bands of guerillas from Missouri. The Report of the Adjutant General will furnish you full information of the number of men that have been kept in active service on each of these lines, and of

the number now in service. The companies on the north-western frontier have all been disbanded, and their place supplied by troops of the United States. While these companies were in service, they were required to erect block-houses and other buildings, at different points, for their own convenience, and to serve as rallying points for the people in case of attack. These buildings are now occupied in whole or in part, by the United States troops on that line. I recommend such legislation as may be necessary for the preservation of these buildings. They may be useful in future, in case of another outbreak of the Indians.

We owe much, very much, to the brave men who have gone out from among us to take their places in the ranks of the army battling for the preservation of the Constitution and the Union. We owe much to those of them who are still living to fight for us, and much more to the families of those who have given their lives for our protection. Their duty to go was no greater than ours, but, in patriotism, they far excelled us. How shall we pay this debt? The praise we so freely accord, the honors we so joyfully confer upon them, and the gratitude we so deeply feel, are but small recompense. Of those who have died in the hospital and on the battle field, many have left behind them young children, who need care, protection and education, which the State is under the most solemn obligation to supply. Some of the soldiers, yet living, have been so far disabled that they cannot properly care for themselves. These we should support and maintain. I very earnestly recommend, that, either wholly by the State, or, by means of aid furnished by the State to those of our people who may be disposed to enter upon this work, ample provision be made for a home in which the children of our deceased soldiers may be cared for and educated, and in which those of our soldiers who may be unable to support themselves, may pleasantly live, the honored guests of a grateful people.

I renew a recommendation made by me in a Special Message to the General Assembly convened in Extra Session in 1862, as follows:

"The burthens of the war now being waged by our people for the preservation of our Government, bear heavily on us, and should be borne as equally as possible. These burthens are of two kinds: First, that of military duty in the field; and second, that of taxation at home. It seems to me to be unequal and unfair that those of us who bear the first of these burthens should be compelled to share with those of us who remain at home the second; that the soldiers who are fighting our battles in the field should be also compelled to pay their share of taxes equally with those who do not share their perils and privations.

"The compensation paid to those of our soldiers who hold commissions is sufficiently liberal to enable them to pay their taxes

without inconvenience; but it is not so with their no less worthy but less fortunate comrades. It would, I think, be a just recognition by us, of our appreciation of the patriotism and self-sacrifice of the latter if we were to release them, during their service, from all taxes levied under State laws, and it would doubtless be news of comfort and cheer to them amid the dangers and trials by which they are surrounded for our sakes, that we had been careful that the houses that sheltered their wives and their little ones had been secured from danger of sale for taxes by our voluntary assumption of their share of the one burthen, while they are bravely bearing our share of the other. I therefore recommend to you that you pass a law exempting from all taxation under the laws of the State, the real and personal property of all non-commissioned officers and privates in the Regiments of this State in the Army of the United States, during their continuance in service, and that for the current year there be added to the per centum of taxation upon the valuation of the property of all other tax-payers the sum of one-fourth of one mill on each dollar of such valuation, to cover the deficiency in revenue thereby created."

Much has been done by Sanitary Associations, in this and other States, for the health and comfort of our troops in the field and in the hospital, and for the support of their families at home.

The business of the General Sanitary Associations and of the local Aid Societies, in furnishing supplies to our soldiers in the field, has now become well arranged and systematized, and consequently, much more effective. This work can be done much better by those Societies than by the State, and I recommend that the State leave the matter in their hands. There should, however, be a liberal appropriation for a contingent fund, under the control of the Governor, from which he can, upon emergency, furnish aid to these Societies and to sick and disabled soldiers, under special circumstances, and by means of which, he can send to and keep in the field, such agents of the State as may be necessary for the comfort and well-being of our soldiers.

I very earnestly recommend, that some systematic mode of furnishing aid to the needy families of our soldiers be adopted. Whether this can be best done by moneys furnished by the State, and distributed by persons appointed by the State, or, through the instrumentality of local Aid Societies, is a question of doubt. It is very certain the work should be done in some way, and I have no doubt your wisdom will ascertain and adopt the proper mode.

The office of the Adjutant General has, since the commencement of the war, been, and still is, a very important one. The labor and responsibility of the Adjutant General has been very great. The labor has always been well and promptly performed, and the responsibility cheerfully borne. The books of the office are well systematized and kept in most excellent condition. They embody a

mass of information, in a neat and accessible form, that will, in the future, be highly useful to our soldiers and their friends and to the State. It affords me great pleasure to say, that much, of whatever success has attended the raising and organization of troops in this State, is due to the efficient services of the present incumbent of that office. The compensation, now allowed by law, is, in my judgment, wholly inadequate, and I recommend the increase of the salary to the sum of two thousand dollars per annum, with an allowance for traveling and other extraordinary expenses.

#### NATIONAL AFFAIRS.

I can not close this communication and with it, my official connection with the people of our State, without adverting to the condition of national affairs in which we are all so deeply and so vitally interested.

The war for the destruction of the Union on the one hand, and for its preservation on the other, still goes on. During the present year the successes of the Union armies have been so numerous and so important that the public mind appears to have settled down into the belief that our ultimate success is certain and not far distant; and is now, to some extent, occupied with the question of reconstruction, so-called—the question as to the manner in which, and the terms and conditions upon which, the people within the territory composing the rebel States can again take part with the people of the loyal States, in administering the affairs of the General Government.

The President has recently issued a Proclamation to the people of the rebel States, in which he proposes to them such terms and conditions as, in his judgment, are right and proper. He proposes, in substance, that as soon as a number of the voting population of any one of those States, equal to one-tenth of the entire voting population of the State, as shown at the last Presidential election, shall take an oath, the form of which is prescribed, and shall establish a new Government, Republican in form, and consistent with the terms of the prescribed oath, such Government shall be recognized as the true Government of the State, and protected as such.

The terms of the prescribed oath are, that the party taking it “will henceforth faithfully support, protect and defend the Constitution of the United States and the union of the States thereunder; and will, in like manner, abide by and faithfully support, all acts of Congress passed during the existing rebellion with reference to slaves, so long and so far as not repealed, modified, or held void by Congress, or by decision of the Supreme Court; and will, in like manner, abide by and faithfully support all proclamations of the President made during the existing rebellion having reference to

slaves, so long and so far as not modified or declared void by decision of the Supreme Court."

Certain persons, that is to say "all who are or shall have been civil or diplomatic officers or agents of the so-called Confederate Government; all who have left judicial stations under the United States to aid the rebellion; all who are or shall have been military or naval officers of said so-called Confederate Government, above the rank of Colonel in the army, or of Lieutenant in the navy; all who left seats in the United States Congress to aid the rebellion; all who resigned commissions in the army or navy of the United States, and afterwards aided in the rebellion; and all who have engaged in any way, in treating colored persons, or white persons in charge of such, otherwise than lawfully as prisoners of war, and which persons may have been found in the United States service as soldiers, seamen, or in any other capacity," are excepted from the benefits of the Proclamation; all others, complying with the terms and conditions, have extended to them a full pardon "with restoration of all rights of property except as to slaves and in property-cases where rights of third parties shall have intervened."

The President, in his Proclamation, further declares "that any provision which may be adopted by such State Government in relation to the freed people of such State, which shall recognize and declare their permanent freedom, provide for their education, and which may yet be consistent, as a temporary arrangement, with their present condition as a laboring, landless and homeless class, will not be objected to by the National Executive. And it is suggested as not improper, that in constructing a loyal State Government in any State, the name of the State, the boundary, the sub-division, the Constitution and the general Code of Laws, as before the rebellion, be maintained, subject only to the modifications made necessary by the conditions herein before stated, and such others, if any, not contravening said conditions, and which may be deemed expedient by those framing the new State Government."

It seems to me these terms and conditions are eminently just and proper—fair and liberal to those to whom they are offered, and such as the permanent peace of the country requires.

All the people in the rebel States, perhaps, in law, certainly, a great majority, both in law and in fact, have committed treason—are guilty of that crime before the law, and are liable to the punishment affixed, by law, to the commission of that crime.

It would not be safe and judicious, either to punish all or to permit all to escape punishment. The leaders, the most guilty, should be punished. The mass, the least guilty, should be pardoned. An inspection of the exceptions from pardon, made by the President, will show he has made this distinction.

But, in extending pardon to the mass, it is just and proper that reasonable terms and conditions should be made.

The terms and conditions proposed by the President are, that the party guilty of treason shall swear, 1st, "That he will faithfully support, protect and defend the Constitution of the United States, and the union of the States thereunder." 2d, That he will "abide by and faithfully support all acts of Congress passed during the existing rebellion, with reference to slaves, so long and so far as not repealed, modified or held void by Congress or by decision of the Supreme Court." And 3d, That he will abide by and faithfully support all proclamations of the President, made during the existing rebellion, having reference to slaves, so long and so far as not modified or declared void by decision of the Supreme Court."

Are these terms and conditions reasonable? No possible objection can be taken to the first requirement—that these men shall support the Constitution and the Union. The second and third requirements are, that these men shall abide by the laws of Congress and the Proclamations of the President concerning slaves, until those laws shall be changed by Congress, or those laws, or the President's proclamations, be decided void by the Supreme Court. This is just what it is the duty of every loyal citizen to do—to abide by and support the law until changed by the law-making power, or declared void by the Courts.

It may be said that the Proclamations of the President are not laws; that he had not the Constitutional power to issue such Proclamations. But the President believes he had the Constitutional power so to do, and has so done, and he only proposes that these acts shall stand in law "so long and so far as not modified or declared void by decision of the Supreme Court." In imposing these terms and conditions on those in rebellion against our Government, who may desire to lay down their arms, the President is but requiring of them the performance of a duty required of all men who have remained loyal.

Upon accepting these terms and conditions, the men now guilty of treason and liable to punishment as criminals, are at once pardoned—are restored to their rights as citizens and again permitted to take part in administering our Government, and, at the same time, are restored to all their rights of property, except as to slaves, and where the rights of third parties have intervened. These exceptions are inevitable. If the acts of Congress and the Proclamations of the President concerning slaves, are Constitutional, then, so far as these acts and Proclamations reach, the slaves have become free, and cannot be restored to their former masters. Where property has been disposed of to third parties, under the Confiscation Act, it cannot be restored. Whatever has been lost to these men has been lost by reason of their own crimes; whatever yet remains will be restored if they will cease to be criminals.

Aside from the consideration, that, if the laws of Congress and the Proclamations of the President concerning slaves are valid as

law, those who have been freed thereby cannot be again enslaved—aside from the consideration, that, even if this could be lawfully done, the doing of it would involve such a breach of honor and good faith, as would justly render us, as a nation, infamous throughout Christendom—aside from all considerations connected with slavery, as a social or moral question—aside from all considerations connected with its political effects upon the particular communities in which it exists, and looking upon it only in its bearing upon the present condition of our country, it seems to me that no man, who does not set the institution of slavery above the Union of the States, can now fail to do all that he lawfully may to aid in removing this curse from our nation.

It is directly or impliedly admitted by all, that slavery is the cause of the civil war now desolating the land, although different parties endeavor to throw the immediate blame upon their adversaries. The anti-slavery men of the country say that slavery is the cause of the war because, being founded on force, it is necessarily aggressive in its character; that it necessarily makes slaveholders, as a class, haughty, overbearing, impatient of control and unwilling to submit their opinions to those of the majority, whom they consider their inferiors. Some of the rebels admit, frankly, that the desire to perpetuate slavery and to make it the "corner stone" of the new confederacy, caused the rebellion, while others, and their apologists generally, insist, that the cause of our troubles is, not slavery itself, but the "fanaticism" of anti-slavery men on the subject of slavery; and there is still another class of our people who declare, that in their judgment, the cause of the war is to be found in the "fanaticism" upon the subject of slavery among extremists, North and South. These are but various statements of the same thing, showing that, however prejudice or partizanship may seek to evade or disguise the fact, our people, generally, recognize slavery as the cause of the war.

It is also true that slavery has been very much weakened since the war began; very large numbers of slaves have been set free, in fact, while other very large numbers, yet under the partial control of their masters, have been so operated upon by events as to make them unfit for slaves. It is, indeed, thought by many men, North and South, that in any event, slavery will perish.

It is also true that the anti-slavery sentiment of the country is stronger than ever before. The convictions of the anti-slavery men of the country, as to the dangerous nature of the institution, have lost nothing of their strength, while many thousands who, before the war were either indifferent or positively favorable to slavery, are now among its most determined opponents. Is it wise, then, for us, at a time when this cause of our troubles has nearly passed away, so to shape our action as to preserve a remnant that may take root and spread, until it has brought upon those who come after us,



the terrible evils we are now enduring? Had we not better remove this cause of strife, and that being done, may we not reasonably hope that, when the natural bitterness growing out of our present strife shall have passed away, the kindly and fraternal feelings which, but for this cause, would have always existed, may be again restored?

But we should not permit the discussion of these, or similar questions, to divert us from the paramount purpose of prosecuting the war earnestly and vigorously, until all men in rebellion against the Government shall, either voluntarily or by compulsion, lay down their arms. In this consists our only safety, and I feel well assured that you will, so far as depends on you, see to it that Iowa, in the future as in the past, will do her full share of this good work, promptly and well.

The position occupied by our State, in this war for the preservation of the Union, is a proud and enviable one. From the first outbreak of the rebellion until the present time, Iowa has neither faltered nor wavered in the discharge of her duty. In both branches of the National Council she has presented an unbroken front to treason and rebellion, and has given a steady and undivided support to the General Government. Her State Government, in all its branches, has given evidence of her unflinching and unconditional loyalty and devotion to the good cause. Her people have, at all times and promptly, filled all requisitions made upon them for troops to fill the ranks of the Union armies; and the men she has sent to the field have been, at least, second to none in all soldierly qualities.

To these men yet another word is due from me. When this war began, ours was a new State, without a history. To day, her name stands on one of the brightest pages of our country's record—graven there by the bayonets of our brave soldiers, and that page is all over glowing with the proofs of their heroism and devotion. We have sent to the field no Regiment of which we do not feel justly proud, and the bare mention of the names of many of them stirs the blood and warms the heart of every Iowan.

It may perhaps be permitted me to say that I trust that when the history of the gallantry and devotion of these men shall be written, the position I have held will of necessity connect my name humbly, and not discreditably, with theirs, and that this trust affords compensation for somewhat of toil and care which have attended that position, and should be sufficient to satisfy an ambition greater than mine.

SAMUEL J. KIRKWOOD.

Mr. Finkbine moved that 6,000 copies of the message be printed in English, and 1,000 in German.

Mr. Nelson moved that 8,000 be printed in English, 2,000 in German, 1,000 in Norwegian, and 1,000 in Holland.

Mr. McNutt moved to print 7,000 in English, 2,500 in German, 500 in Holland, and 500 in Norwegian.

Mr. Russell, of Washington, moved to lay the message on the table, and order it printed.

The motion prevailed.

Mr. Baylies moved that a vote be taken on the resolutions to print, beginning with the highest number of copies first, which was carried, and the following numbers were decided upon:—6,000 in English, 2,000 in German, 1,000 in Norwegian, 500 in Holland, and 500 in Bohemian—(provided it can be done in this State.)

Mr. Bromley moved that 500 copies be printed in the Swedish language.

Mr. Galland moved to amend the resolution by adding, "providing it can be translated for \$25 in each case."

Mr. Maxwell moved to strike out "\$25" and insert \$40. Lost.

The amendment of Mr. Galland was then adopted, and the resolution, as amended, prevailed.

Mr. Nelson offered the following resolution:

*Resolved*, That the Chief Clerk be instructed to order for each member of this House twenty copies of daily papers, or their equivalent in weeklies, provided all said papers be published in this State.

Mr. Weare moved to amend by making the number thirty dailies, or their equivalent in weeklies.

Upon which motion Mr. Carey demanded the yeas and nays, which were ordered, and were as follows:

**YEAS**—Andrews, of Keokuk, Andrews, of Decatur, Bruce, Bell, Buckingham, Burke, Carey, Darby, Davis, Elliott, Fenn, Fry, Galland, Green, Gilchrist, Hildreth, Hixson, Helms, Horton, Holdridge, Jeffries, Logan, Littler, Lindley, Merriam, Magill, Maxwell, Meissner, Mills, Munnsell, Parker, Simpson, Thompson, Vinton, Weare, White—36.

**NAYS**—Bereman, Bromley, Bailies, Campbell, Close, Clark, Day, Dorr, Finkbine, Garrett, Glendening, Gore, Hurst, Knox, Latham, Lindsey, Lyons, Moir, McMaken, McNutt, McCall, McCormick, McKnight, Nelson, Russell of Jones; Russell of Washington, Runyon, Oliver, Paulk, Perry, Pritchard, Potter, Sears, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt, Wolf and Mr. Speaker—43.

Mr. Littler moved to make the number twenty-five. Lost.

Mr. Russell, of Washington, moved to strike out "twenty," and called for a division of the question. The motion was lost.

Mr. Sears moved to insert the word "loyal." The motion prevailed, and the resolution, as amended, was adopted.

Mr. McNutt offered the following resolution:

*Resolved*, That the Chief Clerk be authorized to make arrangements for the payment of postage of members of this House, provided that postage be paid on letters written by members, and upon

newspapers and documents published by order of the House or the Senate or State officers.

Mr. Moir moved to strike out Chief Clerk and insert a committee of three members.

The amendment prevailed, and the resolution was adopted.

The Speaker appointed as the committee Messrs. Nelson, Paulk and Stiles.

Mr. Finkbine moved that the House do now adjourn until 10 o'clock to-morrow morning.

The motion prevailed, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
WEDNESDAY, January 13th, 1864. }

House met pursuant to adjournment.

On motion of Mr. McNutt, the reading of the Journal was dispensed with.

The following message from the Governor, by his private Secretary, Mr. Orwig, was received and read:

MR SPEAKER:—I have the honor to transmit, herewith, the Report of the Adjutant General of the State, from January 1, 1863, to January 11th, 1864, inclusive; the Report of the Warden of the Penitentiary; the Reports of the Officers of the Insane Asylum; the Reports of the Officers of the Deaf and Dumb Asylum; the Report of the Commissioner appointed to superintend the erection of the Blind Asylum; and the Report of the Curators of the State Historical Society.

These Reports are voluminous, and I cannot procure copies for the use of the Senate. I recommend that measures be taken by your House to furnish the Senate written or printed copies.

SAMUEL J. KIRKWOOD.

On motion of Mr. Bereman, the message and accompanying documents were laid on the table and ordered to be printed.

Mr. Paulk presented the credentials of Messrs. Cort, Richards, O'Brien and Christoph, members elect from the 41st District.

Mr. Russell, of Jones, presented the credentials of Mr. Fuller, member elect from the 36th District.

On motion of Mr. Bereman, the credentials were referred to the Committee on Credentials.

On motion of Mr. Russell, of Washington, the action of the House on the concurrent resolution from the Senate, fixing the time

for the inauguration of the Governor and Lt. Governor, was reconsidered.

Mr. Russell, of Washington, moved to amend the concurrent resolution by striking out 11 o'clock A. M. and inserting 2 P. M., which motion prevailed. The resolution, as amended, was then adopted.

The following communication from the Governor was received and read :

**MR. SPEAKER :—**The Agent appointed to select the land donated to the State, for the endowment of a College or Colleges, devoted to the teaching of branches of learning relating to Agriculture and the Mechanic Arts, has made the selections, and has nearly completed the necessary papers connected therewith.

The appropriation made to defray the necessary expenses (one thousand dollars,) has proved insufficient, and it will be necessary to appropriate the further sum of five hundred dollars to reimburse the agent for the moneys spent by him, and to pay him for his services.

SAMUEL J. KIRKWOOD.

On motion of Mr. Moir, the communication was laid upon the table and ordered to be printed.

The following communication was received from the Governor, and on motion of Mr. Russell, of Jones, it was laid upon the table and ordered to be printed.

*Gentlemen of the Senate and House of Representatives :*

I have the honor to communicate a statement of expenditures, of the appropriation for extraordinary expenses of the Executive Office, and for Sanitary purposes, since date of my last report, March 24th, 1862 :

Balance of appropriation of Extra Session of 1861, on	
hand March 24th, 1861.....	\$ 3,797 93
Appropriated Regular Session 1862.....	10,000 00
Appropriated Extra Session 1862 and placed under my	
control.....	10,000 00
Appropriated same session and placed under control of	
Census Board.....	20,000 00
Amount returned by Dr. Orr, of \$1,000, placed in his	
hands to aid our soldiers in Gen. Curtis' army.....	305 83
Donated by the Amana Society of Iowa County, Iowa,	
for Sanitary purposes.....	2,000 00

Total of funds.....\$46,103 76

*Cr.*

By vouchers from 1 to 232, inclusive, filed with Secretary of State, with list of same .....	\$26,323 63	
Amount in treasury undrawn .....	20,000 00	\$46,329 63
Expended more than drawn .....		\$219 87

The vouchers are quite numerous, and their preservation and safe keeping are important, as furnishing the means of settlement with parties who may have claims against, or settlements to make with, the State.

I have therefore deposited them with the Secretary of State, where they will be safe, and at the pleasure of either House.

I have transmitted to the Senate the written report of J. C. Todd, agent for the State at Keokuk. The State has had an agent at Memphis, Joshua Dial, from whom I have not had a written report.

The only permanent agents in the field have been Mrs. Anna Wittenmeyer, appointed by law, and Dr. A. S. Maxwell, appointed by me. Rev. A. J. Kynett has acted as an agent mainly within the State, but at times in the field.

These agents have all done their duty faithfully, and have done much to aid our soldiers.

There are unsettled accounts with all of them, except Mr. Kynett, that can be settled by my successor, and any balances due them, or any of them, paid out of the unexpended balance of the appropriation for extraordinary expenses.

Of the moneys reported as expended by me, over two thousand dollars were expended to meet the emergency caused by the Indian outbreak in 1862. There was not any other available fund from which the money could be had, and the necessity was imperative. I should have endeavored to have had this money restored to the fund, but found it sufficient without so doing.

SAMUEL J. KIRKWOOD.

Mr. Fry presented the following resolution :

*Resolved*, That in making the appropriations to pay the Clerks and other officers of this House, the following sums shall be allowed each :

Chief Clerk .....	\$5 00
1st Assistant Clerk .....	4 00
2d Assistant Clerk .....	3 00
Enrolling " .....	3 00
Engrossing " .....	3 00
Sergeant at Arms .....	3 00
Fireman .....	2 00
Doorkeeper .....	2 00
Messengers and paper folders .....	1 50

On motion of Russell, of Jones, the resolution was laid upon the table.

Mr. McNutt, chairman of the Committee on Credentials, reported as follows :

Your committee find that the credentials of the following persons are correct, and that they are entitled to seats in the House :  
41st District.—D. Cort, B. B. Richards, D. O'Brien and John Christoph.

63d District.—Stephen King.

And that J. H. Fuller, of the 36th District, although without his credentials, is also entitled to his seat.

SAMUEL McNUTT, Chairman.

Messrs. Cort, Richards, O'Brien, Christoph and Fuller came forward, were sworn, and took their seats.

Mr. Russell, of Washington, moved that a committee of two be appointed to wait upon the Senate, and inform them that the House is now ready to go into joint convention. The motion was carried and Messrs. Russell, of Washington, and Bereman, were appointed by the Speaker on said committee.

Mr. Bromley offered the following resolution :

*Resolved*, That a committee be appointed to inform the clergymen of this city that they are invited to open the morning session of this House with prayer.

The resolution was adopted, and the Speaker appointed Bromley and Lindsey on said committee.

On motion of Mr. Moir, Mr. Magill was appointed Teller on the part of the House, to canvass the votes for Governor and Lieutenant Governor.

On motion of Mr. Bereman the House took a recess of five minutes, to prepare for the joint convention.

The House was called to order, when the Sergeant-at-arms announced the Senate, who entered the Hall, and took the seats assigned them. Whereupon the President of the Senate announced that the convention had met to canvass the vote for Governor and Lieutenant Governor, of the State of Iowa, and declare the result.

After calling the Roll,

The Speaker proceeded to announce the votes of the several counties in the State, for the offices of Governor and Lieutenant Governor; pending which, Mr. Moir moved a recess until 2 o'clock, which was carried.

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TWO O'CLOCK, P. M.

The members of the House and Senate again met in joint convention, when the canvass was concluded, with the following result :

## FOR GOVERNOR.

Whole number of votes cast.....	142,314
Of which William M. Stone received.....	86,107
James M. Tuttle received.....	56,132
Scattering.....	75

## FOR LIEUTENANT GOVERNOR.

Whole number of votes cast.....	141,605
Of which Enoch W. Eastman received.....	87,285
John F. Duncombe received.....	54,304
Scattering.....	16

Whereupon the President announced Wm. M. Stone duly elected Governor of the State of Iowa, for the term of two years, and Enoch W. Eastman duly elected Lieutenant Governor of the State of Iowa, for the term of two years, they having received a majority of all the votes cast at the election in October last, and certificates of their election were read and signed as follows:

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, JANUARY 13th, 1864. }

This will certify that upon a canvass in joint convention of the two Houses of the General Assembly of the State of Iowa of the votes cast at the October election A. D. 1863 for the office of Governor of the State of Iowa it appeared that Wm. M. Stone received a majority of all the votes cast at said election for said office, and therefore was declared duly elected to said office for the term of two years and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 13th day of January, 1864.

JNO. R. NEEDHAM

Lieut. Gov. and President of the Senate.

JACOB BUTLER,

Speaker of the House of Representatives.

Attest, JOHN G. FOOTE, Teller for the Senate,

S. G. MAGILL, Teller for the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, January 13th, 1864. }

This is to certify that upon a canvass of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D. 1863, for the office of Lieutenant Governor of the State of Iowa, it appeared that Enoch W. Eastman received a majority of all the votes cast at said election for said office, and was, therefore, declared duly elected to said office for the term of two years, and until his successor is elected and qualified.

Signed in the presence of the joint Convention this 13th day of January, 1864.

JNO. R. NEEDHAM,

Lient. Gov. and President of the Senate.

JACOB BUTLER,

Speaker of the House of Representatives.

Attest, JOHN G. FOOTE, Teller for the Senate,

S. G. MAGILL, Teller for the House of Representatives.

Mr. Baylies offered the following resolution, which was adopted:

*Resolved*, That a committee of two, on the part of the Senate, and three, on the part of the House, be appointed a committee to inform the Hon. William M. Stone of his election to the office of Governor of the State of Iowa, and Hon. Enoch W. Eastman of his election to the office of Lieutenant Governor of the State of Iowa, and to report to this convention when it will be their pleasure to be inaugurated.

The President appointed Messrs. Saunders and Crookham on the part of the Senate, and Messrs. Baylies, Hildreth and Merriam on the part of the House.

On Motion of Mr. Hugin the joint convention adjourned.

Mr. Weare moved that the House do now adjourn. Motion lost.

Mr. Bromley introduced the following resolution :

*Resolved*, That the religious denomination of the members of this House be named with the place of Nativity, occupation, &c. Which was not adopted.

Mr. Thompson presented the credentials of Mr. Sanderson, and on motion they were referred to the committee on credentials.

Mr. Bell moved to adjourn. Motion lost.

Mr. Stanton called for the report of the committee on postage.

Mr. Nelson, chairman of said committee, presented the following majority report :

The undersigned members of the committee appointed to make arrangements for the payment of postage of the members of this House, beg leave to report that they have conferred with the Postmaster of this city, and herewith report his propositions in writing:

POST OFFICE, DES MOINES, Jan. 12.

*Gentlemen of the House Committee :*

In reply to your inquiries, I would say as I did to the Senate Committee, that we will endeavor to carry out your wishes as far as possible, with regard to the mailing of Legislative matter.

We will stamp all the letters sent to us bearing the frank of a member, if such be your wish. We will furnish 2 cent stamped wrappers, (paying for 4 ounces of papers or pamphlets) which the members can use themselves, the wrappers being *self-sealing*.



These will be found very convenient for sending off the Reports and Daily papers. Five of the Dailies may be sent in one wrapper, to one address, or two of the Weeklies. We have also a supply of two cent stamps, to be used on the same wrappers, where more than 4 ounces are sent in the one envelope.

If the House prefers to relieve itself entirely of the stamping matter, we will endeavor to carry out its wishes in the premises, although it will impose on us a serious amount of labor not contemplated by the Post Office Law.

If the House desires it, we can carry out for it the plan adopted by the Senate.

Very Respectfully,

J. TEESDALE.

Your Committee would recommend that his proposition to stamp all letters sent to him bearing the frank of a member of this House be accepted, and that the chief clerk be authorized to make arrangement with said Postmaster in accordance therewith. Your Committee would further recommend that the Secretary of State be requested to furnish each member with stamps or stamped envelopes, at the option of each member, to the amount of \$—— per week. All of which is respectfully submitted.

O. NELSON, Chairman,  
EDWARD N. STILES.

Mr. Moir moved the adoption of the report.

Mr. Spurrier moved that the blank be filled with three dollars.

Mr. Weare moved that the blank be filled with four dollars.

Mr. Davis moved that the blank be filled with five dollars.

The question being put upon the motion of Mr. Davis, to fill the blank with "five dollars," the motion was lost.

The motion of Mr. Weare, to fill the blank with "four dollars," did not prevail.

The question was then put upon the motion of Mr. Spurrier, to fill the blank with "three dollars," and the motion carried.

Mr. Paulk presented the following minority report.

The undersigned one of the committee appointed to confer with the Postmaster of Des Moines, begs leave to make the following report. The minority of your committee advise that the members of the House deposit their mail matter with the Postmaster of the House, and that the Postmaster of Des Moines stamp the same and charge the postage to the State. All which, is respectfully submitted.

C. PAULK.

Mr. Cort moved to substitute the minority for the majority report. The motion was lost. The majority report was then adopted.

The committee appointed to wait upon the Governor and Lieut. Governor, reported that they had discharged their duty, and that the Governor and Lieut. Governor elect, had signified their pleasure to be inaugurated to-morrow at 2 o'clock P. M. The following message was received from the Senate.

**MR. SPEAKER :**

I am directed to inform the Honorable House of Representatives, that the Senate has concurred in the House amendment to the Senate's concurrent resolution fixing the hour for the inauguration of Governor and Lieut. Governor.

WM. F. DAVIS, Sec'y of Senate.

Mr. Weare moved that the House adjourn until to-morrow at 2 o'clock. Carried.

The House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
WEDNESDAY, January 14th, 1864—2 o'clock P. M. }

The House met pursuant to adjournment.

On motion of Mr. Moir, a committee of two was appointed to inform the Senate that the House was now in session, and ready to receive them.

The President appointed Mr. Moir and Mr. Paulk.

The committee reported that they had discharged their duty, and asked to be discharged, which was granted.

#### JOINT CONVENTION.

The President called the Convention to order.

The following resolution was offered by Mr. Elliott :

*Resolved*, That the members of the Board of the State Agricultural Society be invited to attend the services of the inaugural and to seats within this Hall, and that a committee of two, one from each House, be appointed by the President to communicate this invitation.

Adopted.

The chair appointed Mr. Elliott and Mr. Henderson as such committee.

Mr. Gue offered the following resolution, which was adopted :

*Resolved*, That the officers of Iowa Regiments now in this city be invited to seats in this Convention during the Inauguration of Governor and Lt. Governor.

Mr. Hildreth offered the following resolution, which was carried:  
*Resolved*, That the Judges of the Supreme Court and the State officers be invited to take seats in the Convention during the Inauguration ceremonies.

Mr. Saunders moved that a committee of one from each House be appointed to wait upon the Governor and Lieut. Governor elect, and inform them that the joint convention was ready to receive them. Carried.

The chair appointed Messrs. Saunders and Gilchrist as such committee.

The committee performed the duty, and soon reported the presence in the Hall of the Governor and Lieutenant Governor elect. The Sergeant-at-arms announced the Governor and Lieut. Governor elect, the retiring Governor, the Chief Justice and Associate Justices of the Supreme Bench, the officers of State, and officers of the army and navy, who were seated.

After prayer by the Rev. J. M. Chamberlain, Chief Justice Wright proceeded to administer the oath of office to William M. Stone, as Governor, and Enoch W. Eastman, as Lieutenant Governor of the State of Iowa; when his Excellency addressed the joint convention as follows:

*Gentlemen of the Senate and  
House of Representatives:*

Assuming the Executive office, at a momentous period in public affairs, I have taken the oath prescribed by the Constitution, under a full sense of the grave obligations imposed. Profoundly grateful for the confidence of a generous and patriotic people, and with humble reliance on Him who has guided us through many trials, I shall endeavor to meet their just expectations, by an earnest and faithful discharge of the duties assigned me.

The duty of communicating to the General Assembly the condition of the State, as required by the Constitution, and recommending such measures as may be deemed expedient, for legislative action, more properly belongs to the out-going Executive, whose official connection with the affairs of government, for a term of years, has afforded him the benefit of that observation and experience, necessary to a proper understanding of the various measures demanded by the general welfare.

The recent message of my predecessor furnishes you the necessary information, concerning the condition and affairs of the State, during his official term; and is so specific in its recommendations that I need do but little more, on this occasion, than express my concurrence in the suggestions therein contained, and ask for them your favorable consideration.

Representing, as you do, the different portions of the State, and being conversant with their wants and interests, your aggregated

information, and joint counsels, will enable you to perceive, and readily comprehend, every material subject which may demand your action. In our zeal to advance the public interests, however, we should bear in mind, that multiplicity of legislation, is neither wise nor expedient. Innovation is not always reform. And experience has abundantly demonstrated, that the utility of laws, to a great extent, depends upon their certainty; and that frequent changes in established rules, are a source of great inconvenience, and productive of less good than mischief.

The subjects of finance and revenue, common schools, militia, currency, the practice of the courts, and county government, are of primary importance to the State, and should receive a liberal share of your attention. But the various laws now in force upon these subjects, have been so long in operation, and so thoroughly tested, that their defects, if any exist, will be readily perceived. I would recommend extreme caution in their consideration, and advise no change in any of them, unless demanded by obvious utility and sound experiences.

From various sources, my attention has been earnestly invited to what, in the opinion of many, are cogent reasons for changing our present form of County government. The Supervisor system, created by Act of the Eighth General Assembly, has failed to command that general satisfaction which its advocates predicted and desired. The objections urged against it are quite numerous, and, apparently, substantial in their character. Those who desire a change, express their preference for the Commissioner system, which has prevailed so long, and operated successfully, in many of the older States, and if, after due investigation, any change may be deemed advisable, I would recommend this system to your consideration, as being the most simple, and practical, of any that could be adopted. I cannot assume the responsibility of recommending a change; for the reason, that my observation of the present system, has been much too limited to justify me in entertaining a satisfactory opinion as to the soundness of the objections urged against it, and I therefore commend the entire subject to your earnest and considerate attention.

Your attention is invited to the expediency of abolishing the Board of Education, created by Article 9, of the new Constitution. This Board, in the sessions already held, has accomplished much valuable labor, and to it are we mainly indebted for the framework of our present admirable system of Common Schools, which needs but little additional legislation, to render it sufficiently comprehensive to meet the demands of our educational interests for many years to come. It is now thought the period has arrived, when this Board is no longer required; and, that it can be abolished without detriment to the public service. The framers of the Constitution evidently contemplated, that after its labor, in maturing a

permanent and satisfactory system of schools, should be completed, its utility, as a separate department, would terminate. In view of this contingency, the 15th Section of said Article, confers upon the General Assembly the power, after the year 1863, to abolish or re-organize the Board, and to provide for the educational interests of the State, in any other manner that to them shall seem best and proper. Should you concur in the expediency of this measure, it will become necessary to create the office of Superintendent of Public Instruction, in order that the important duties now devolving upon the Secretary of the Board, may be transferred to and performed by an appropriate officer.

I desire to invoke the earnest attention of the General Assembly, to the necessity of providing additional means for supporting the families of the deserving men who are absent, in the public service. Many of these men, in limited circumstances when they volunteered, have no means of supporting their families, except the scanty wages received from the Government; obviously inadequate, under the present high rates of living, to properly maintain a soldier, and meet the legitimate wants of his family.

I am aware that, at the Special Session of the General Assembly, in 1861, an Act was passed empowering the Boards of Supervisors to appropriate money out of the County Treasuries, for the support of soldiers' families within their respective counties. But, I regret the necessity which compels me to say, that this highly commendable and patriotic enactment, has signally failed to accomplish the object intended. In counties where a majority of the Supervisors are friendly to the Union, and the prosecution of the war, this relief has been furnished to a liberal extent; but in many others, where that majority is with the opposite party, they have persistently refused to appropriate a single dollar to this humane and Christian purpose.

In considering the question, we should not confine ourselves to the theory adopted by some, that this is a mere county matter, and, therefore, not the appropriate subject of State action. From whatever county the man enters the service, he becomes a soldier of the State, fighting for one county as well as another, and has an equal claim upon the generosity and gratitude of all our people. In the absence of an adequate law, providing relief for these meritorious families, out of the public revenue, these burthens, necessarily, fall upon a few liberal and patriotic individuals in each community. This is clearly wrong, and should not be permitted. None should be allowed to escape this imperative public and patriotic duty. Every individual in the State should be required to contribute, for this purpose, his full share, in proportion to the amount of his taxable property. I, therefore, earnestly recommend that a liberal appropriation be made for this purpose, out of the State revenue; to be disbursed through the agencies of the State Sanitary Commis-

sion, in such manner as you may deem it wise to direct. This Commission, recently organized, and incorporated, has acquired a responsible character, and enjoys, as it should, a full degree of public confidence.

By such an Act, we shall seal, in perpetual memory, the gratitude so eminently due to exalted patriotism, and unrivaled valor.

The soldiers of Iowa need no eulogy now, to secure for their deeds the admiration of history. Their unselfish devotion to the cause of the country; their patient endurance of the untold hardships incident to service in a distant and strange climate; and the sturdy heroism they have illustrated on so many fields, have given to our young State a record of valor as imperishable as the bloody annals of the war; and aided, in securing for our common country, a fame co-extensive with the civilized world. On every battle ground from Wilson's Creek, where, amid the deadly hail of an unequal contest, they rallied 'round the heroic Lyon, and freely mingled their blood with his, to the gory mountain heights and passes in front of Chattanooga, and the *now* glorious field of Chickamauga, the Flag of Iowa has been borne by brave hands to triumphant victory. Where all have done so well, to particularize would be invidious; and I could not name all who are entitled to honorable mention for noble and valorous deeds, without calling the entire muster rolls of Regiments, Battalions and Batteries. Impartial history will attest the significant fact, that no great battle has yet been lost, in which Iowa troops were engaged; and none gained, on western fields, in which they have not borne a conspicuous part. Among the first in the field, and ever to the front, their numberless graves are scattered from the plains of Texas to the banks of the Cumberland, and from the shores of Lake Michigan to the waters of the Gulf—sad, yet truthful witnesses of how bravely they fought and nobly died.

Fathers and sons, husbands, brothers and friends, sleep in those narrow tenements, far from their beloved Iowa; but enshrined in the hearts of a grateful people, their memories, like the unfading laurel, will survive the dreary winters of coming time.

Contemplating the condition and affairs of our own State, let us not be unmindful that our common country is still involved in cruel and relentless war. The god of ambition is yet unappeased, and the demon of civil strife is making sad havoc in the land. The great struggle for the integrity of the Union and the preservation of the National Government, is yet to be decided. After a trial of nearly eighty years, embracing the most comprehensive experience, and affording ample proofs of its power, utility and beneficence, the existence of this unrivaled Government is committed to a bloody conflict between its own citizens.

The constitutional right of a State, or any number of States, to withdraw from the Union, is no longer a practical question for dis-

cussion. If that right be conceded, the action of the Federal Government, in compelling obedience to its laws, is indefensible, and the war, on our part, clearly wrong. The determination of that question was preliminary to war, and to any effort by the Government to reduce the seceding States to submission.

In the absence of a constitution right to dismember the Union by secession, the attempt was treason and insurrection, which the President of the United States, under the solemn obligations of his oath, was as much bound to suppress, as he would have been to repel an invasion of our soil by a foreign enemy. Existing laws, adopted in the early years of the Republic, clothed him with ample authority over the subject, and made his duty imperative. In promptly meeting the aggressions of treason, and placing the Government in a State of defence against this long projected, and wicked rebellion, he fulfilled the just demands of the Nation, and entitled himself to the lasting gratitude of mankind.

For nearly three years, this deplorable war, inaugurated by the mad ambition, and treason, of Southern men, has progressed with its varied results. Though disasters have sometimes overtaken our advancing columns, the triumphs which have crowned their heroic efforts, in the glorious cause of the country, have far outweighed all the reverses they have sustained. We have penetrated the insurgent country from almost every point, by land and sea, and rescued from their grasp the most productive and populous States of the South. To day the ancient Flag of the Union floats triumphantly over the soil of every rebel State, and waves from the battered walls of Sumter, back as far as the serpent of rebellion can be traced.

The rebel armies, defeated and demoralized, are being rapidly driven to a common centre; their currency worthless, and their credit gone; their pretended jurisdiction reduced to nearly one-third of its original limits, and a surplus population crowded within them to subsist upon their meagre harvests; impending death, or exile, to the leaders, ruined fortunes and desolated homes to the unwilling masses—this is the end of treason, and the doom of traitors!

Supported, and elected by the loyal and patriotic people of Iowa, in a contest presenting the grave questions which here, as elsewhere through the loyal States, alone pervaded the public mind and determined the result of the recent elections, I but discharge a plain duty to them, when I express the convictions of my own mind, upon the portentous issues yet to be decided by the valor of our arms. While entertaining a profound respect for the opinions of all loyal men, in whatever locality they may be found, I am aware of no rule requiring deference to the opinions of their enemies, or of any obligation I am under to consult their views, or wishes, in the discharge of my official duties.

There is no longer any middle ground where loyal men can stand, and find refuge from the stern, and positive obligations of the hour. The times are fraught with mighty events, involving the welfare of the present and future generations, and impose the most solemn duties upon every patriot in the land. It is not the mere domination of a political party, nor territory, nor empire; but liberty, and the eternal principles of natural justice, born of God and, under Him, established on this Continent by our fathers, which are staked upon the issue of the struggle.

It needs no words of mine to show that the vigorous and successful prosecution of this war is *life* to the Republic, while to hesitate for a single hour, upon any pretext whatever, or stop short of the unconditional recognition of Federal authority by all the revolted States, would be but a hollow truce, and *death* to our unity and Nationality.

Great and holy interests are involved in the contest. There is no longer any hope of their preservation by the ordinary modes of adjustment. They are therefore, to be saved or lost, by the arbitrament of battle. In the terrible ordeal through which we are passing, many old conditions are likely to be rejected, and some things which have been, may not be again; but the patriotic heart may find reasons for its faith, that all such as are good and substantial will be retained and consecrated in the new life of the Nation. Let us hope that enemies in the disguise of friends, will never again occupy the high places of power; that the people's Treasury will not again be robbed by official hands, their arms, their arsenals and fortifications turned against their own Government; that the blighting curse of Human Slavery will no longer receive protection by the statutes of the land, nor exist in any form under the National Flag; and that traitors may never again sit in the Council Chambers of the Nation, nor plot their treason beneath the dome of its Capitol. Let us pray to a righteous God that such scenes may never stain the coming annals of the Republic, and if need be that the havoc of bloody, desolation war, may abate not until the day of regeneration shall come.

The events of the hour, grand and irresistible in their course, are rapidly hastening to their legitimate results. He who disposes while man struggles, and proposes, has pronounced his imperial decree.

Those who hesitate now to yield an unreserved support to the Federal Government, or fail to sustain its constituted authorities, unmistakably array themselves on the side of its enemies, and will be so recorded in the history of the times. If treason is crime, to sympathize with traitors is also clearly criminal. While there is treason in the heart, the man cannot be truly loyal, and we know not how soon his hesitating courage may nerve him to commit the



overt act. The line of demarkation between loyalty and treason, is plainly defined, and exceedingly narrow.

Obvious as these considerations are to all discerning minds, it is a painful reflection, that there exists a faction, in the Northern States, which has persistently opposed the action of our Government in its efforts to subdue the Rebellion, and clamored for peace upon any terms. While professing to be loyal, the members of this faction have given strength and courage to traitors, and by their conduct proved themselves the most insidious, and dangerous foes of the Union. Recent events, however, have demonstrated the continued attachment of the patriotic masses of all parties, to the perpetuity of our free institutions; and shown that they cannot be deceived by mere pretences of loyalty, or misled by the cry of peace, when there is no honorable or permanent peace, short of vigorous and successful war.

Systematically opposing every measure yet devised, for a successful prosecution of the war, and having no mode of their own for an honorable solution of existing troubles, these malcontents seek to justify their course by creating a distinction between the Government and its Administration; confronting us with the novel doctrine that the Government is the Constitution and the institutions founded thereon, while the Administration is merely the agents chosen by the people, and responsible to them. Assuming to act upon this theory, they claim the right to oppose the latter, while pretending to support and maintain the former.

This dangerous paradox is a fit companion of the doctrine of "States Rights," which held the American Union to be only a league between sovereign States, dissolvable at their will; and that the citizen owed a paramount allegiance to his State, and only a subordinate one to the Federal Government. A doctrine which, although denounced by the stern old leaders of democracy, as destructive of the Union, yet succeeded in diffusing its subtle poison through the Southern mind, and, finally, culminated in the crime of treason.

It needs but a word of refutation. I do but adopt the idea of a great writer, when I say, that our free, written Constitution is not government, but the warrant and representative of Government. It is not power, but the symbol of power, and will, in any emergency, prove altogether useless, unless the power for which it stands be forthcoming. Where does this power reside? Not in the Constitution, nor in any of the co-ordinate departments created by it; nor in the people, but in all combined. These constituent elements compose the Government, the powers of which are exercised through its constitutionally appointed agents, the legislative, executive and judicial departments. Without these, the powers defined in the Constitution could not be appropriately exercised; and without them, it is obvious, we should have no Government.

Therefore, to strike at any of these, is to injure the Government itself to the full extent of the blow.

The President of the United States, for the time being, is the Supreme Executive of the Nation, the chosen agent of the people, the pilot who guides the ship of State. The liberty of speech, and of the press, guarantied by the Constitution, is formidable only to the enemies of Liberty, in its broader and more extended sense. The right to freely discuss the affairs of Government, and criticise the acts of its agents, is fundamental to liberty, and cannot safely be denied.

To all this I fully subscribe. But the right claimed by some, to oppose the execution of the laws, and, by factious opposition, to thwart the President in the discharge of his high duties, at so important a juncture, is subversive of all liberty, and a right which belongs to treason, only.

Again, the War policy of the Government has been continuously denounced, as subversive of the rights of the South, and in violation of the Federal Constitution. It is reasonable to presume that these men have either forgotten, or never known, that Abraham Lincoln is not only President of the United States, charged with the execution of *civil* power, but also Commander-in-Chief of the Army and Navy of the Union, and thereby clothed with the *war* power of the Government. In the exercise of his civil functions, he is guided by the plain language of the Constitution, which defines the limits of his power, and beyond this he cannot go; but in the discharge of his duties as Commander-in-Chief, in time of war, he is governed only by the laws of war, as recognized among civilized nations, and such other restrictions as Congress and the people may impose. Deriving his authority by appointment of the Constitution, he is thereby vested with all the power which rightfully belongs to the Commander-in-Chief of any other army upon the face of the Globe. This extraordinary power, it must be understood, is called into exercise only from a state of war, and cannot be exerted in time of peace.

By his oath of office, the President is sworn "to the best of his ability, to *preserve, protect and defend* the Constitution," and in the discharge of this solemn obligation, he may rightfully exercise all the power inherent in the people, whose agent he is; and that he may do this, they have made him Commander-in-Chief of their army and navy, and the Constitution is the warrant of his appointment. To hold, that when called upon to "preserve, protect and defend the Constitution, to the best of his ability," he is restricted to the mere letter of his civil authority, is to deprive him of the very means of discharging that high duty, and make the Constitution, thereby, the weapon of its own destruction.

The Constitution is neither a war-making nor a war prosecuting document. It empowers Congress to declare, and the President to

prosecute war, as the honor of the nation and the exigencies of the case may demand. It undertakes neither to inform Congress when, or in what case war may be declared, nor the President the manner of carrying it on. Having made them judges of the situation, it leaves the details of war to their intelligent patriotism and sound discretion.

Wherein has the Constitution been violated, and whose rights have been subverted by the Federal Government? The loyal States have no reason to complain, and do not, for the people thereof having said, at the beginning, that the rebellion should be put down, become a party to the war; and after a long hearing, and full understanding of the case, they have returned a verdict, magnificent and overwhelming in its proportions, that the Administration was *not guilty* of the charges preferred against it. The people of the insurgent States have no right to complain; for, having renounced their allegiance to the Constitution, levied war against it, adopted a Constitution and government of their own, and claiming recognition as a separate and independent sovereignty, they have assumed the attitude of belligerents to the Federal Government, and thereby acknowledged themselves entitled only to belligerent rights. Every right which, as citizens of the United States, they possessed under the Constitution, has been voluntarily abandoned, and forfeited, by the rebellion. These rights can not, and should not be restored to them, until they shall lay down their arms, submit to the jurisdiction of the Federal Government, and obtain pardon for their treason. In every sense of the term, they are enemies to the Constitution, to our Republican Government, to liberty and humanity, having but a single constitutional right left, that of being dealt with according to the laws of the land, for the atrocious crime they have committed. No other people or nation, upon the face of the earth, could have committed so high a crime against this Government, and its flag. And now, while standing as the flagrant, deadly enemies of the Constitution, with their hands uplifted at the nation's throat, we are told that their Constitutional rights are unimpaired, and as substantial as when they were law-abiding and peaceful subjects of the Government. Thus we are asked to give immunity to crime, by exculpating the criminal.

As enemies and belligerents, to what rights are the insurgent States entitled? The Constitution being entirely silent upon this subject, we must resort for information, to the laws of war, as established and recognized among the nations of the world. The eminent writers upon this subject agree in saying, that in war we may do any act not forbidden by humanity or the laws of nature, which may harass or weaken our enemy. We may confiscate his property of every kind, and appropriate it to our own use, for the double purpose of diminishing his strength and augmenting our own. We may capture and detain his soldiers, and take their lives

if we can, in legitimate combat. All this we are allowed to do, because it is a right which belongs to every nation at war, is derived *from* and attaches *to* a state of war. These well established and fundamental principles, have been recognized by our Government in its intercourse with other nations, sustained by repeated decisions of the Federal Courts, and never denied or doubted, except during the present war, by certain northern politicians, who have throughout, manifested more interest in the rebellion than love for the Union of these States. And it is proper here to remark that the character of belligerents, has been given to the insurgent States by the legislative and executive departments of the Government; that we have so treated them during the entire war, and that this action has been sustained by a late well considered opinion of the Supreme Court of the United States, in a case fully and fairly presented. This question may, therefore, be regarded as settled, so far as the action of this Government and people, can settle any question.

During the first months of this war, in common with what I believe to have been a decided majority of the people, both in and out of the army, I indulged the hope, and expressed the belief that it could be successfully terminated without a direct attack upon the local institutions of the South. The Government itself seems to have entertained the same view, for a remarkable tenderness characterized its dealings with traitors, and the war was prosecuted during the first year, with eminent success, upon the theory of doing the rebellion as little damage as possible. Bitter experience and observation, however, finally convinced me as it did others, that slavery was not only "the corner stone of the Confederacy," but was the *power* which sustained, and the motive which impelled the rebellion. Every negro that worked with a hoe, or drove a mule on a Southern plantation, was as much enlisted against the Union, as the soldier who served with his gun in the ranks of the rebel army; and more effectively so because the grain upon which our enemy subsists, renders him more formidable than his shells or his bullets.

Slavery stood like a mountain before the advance of our armies, and could neither be avoided nor defied. It enabled the insurgents to place their entire militia force in the field against us, and added more than one-half to their available strength. While slavery existed, treason had power and object, and so long would the rebellion continued, and the war be protracted.

At the commencement of this rebellion, the four millions of slaves inhabiting the Southern States, were peaceful and loyal subjects of this Government; owing allegiance to it, and amenable to its laws. And although they became the unwilling instruments of treason, yet their allegiance has not been and could not be dissolved. Upon this people, therefore, as its legitimate subjects, the Government

had as high claims as it had upon the white population of the south. By State laws only, they were held as slaves, but this was in subordination to their status as subjects; for at any time the Government could have taken them from their masters, and punished them, like other men, for violation of its laws, and the fact that they were slaves would have been no defence. By no act, or deed has the Federal Government ever relinquished its sovereign claim upon this class of its people; and it could not have done so, with due regard to the peace and safety of the Union. No wise Government would permit a large and permanent population to reside within its limits, who are beyond its ultimate control. Whatever may be the character given them by mere local regulations, can not effect the authority of the sovereign power over them. These people are not only denominated as *persons* by the Constitution, but they have so been treated by the Government, for all purposes, during its entire history. In all these respects, at least, the slaves were the equals of their masters; they could perpetrate the same crimes, be tried therefor by the same tribunals, incarcerated in the same prisons, and hung upon the same scaffolds. And while their masters commit atrocious treason against the Government which shelters all, have not these oppressed subjects a right to fight for it, and shed their blood in defense of its flag?

If by the offer of freedom we could induce these bond subjects to leave their treasonable masters, and return to their legitimate sovereign, whom they have never willingly offended, what principle of law or right would be thereby contravened? Has not any established Government an absolute right to exercise this sovereign authority over its own subjects? If it be alleged that this would be a violation of our faith with the Southern States, the conclusive answer is, that they had already violated theirs with us by attempting to dissolve the Union. We could as rightfully do this, as we could induce the soldiers in the rebel armies to leave their ranks and return to their allegiance, by the offer of a general pardon. And to deny that we can rightfully do either, is to hold that the individual claims of traitors, the rights and local regulations of insurgent States, are paramount to the sovereignty of the General Government.

The period at length arrived when, to insure success to our arms, and make the overthrow of the Rebellion a speedy and certain event, an effectual blow at this formidable element of rebel power was imperatively demanded. Our authority over the subject was broad and ample, and the necessity for the step no longer doubtful. Why hesitate to terminate the war, and save the Union, by losing slavery? It became obvious, that amid the throes of this mighty revolution, one or the other must go down. The Union and slavery cannot both be saved from the wreck, for the same power which rescues the one must inevitably crush the other. Which is

the more valuable for preservation ? After all its manifold crimes against liberty and humanity, against God and His holy laws, what claim has Slavery upon this Government for protection and perpetuity ? To this reckoning had the Nation come on the first day of January, 1863.

I thank Almighty God, that at this momentous juncture, we had a man at the helm of this Government, who fully realized the situation, and possessed the sublime courage to perform his duty, and place the seal of condemnation irrevocably, and forever, upon this convicted criminal of mankind. The deed is done ; the righteous judgment has been pronounced, and from his honest heart the author tells us, "it cannot be retracted." No earthly power can send back to slavery, these millions of freedmen ; for between them and such power stand more than twenty millions of other men, to defend the broad seal which that proclamation bears.

In its diminished and attenuated form, slavery still lingers ; but it is robed in the habiliments of the grave, waiting only for the rites of sepulchre. How these shall be performed the world may not care ; for over its accursed remains the star of freedom shall forever shine, and the loud hosannas of an emancipated race be sung through all succeeding ages.

The victim of a morbid and treasonable ambition, slavery, has been murdered in the house of its friends. Upon them, not us, the responsibility of its death must forever rest. The Union as it was, the people of the North were willing to maintain and abide by ; but, as the South have determined otherwise, it is our duty now, to insist upon the Union as it should be, and as our fathers intended it.

My ardent wish is, that this desolating war may speedily close, and the insurgent States resume their political rights in the Union.

That we may properly understand the theory of reconstruction, it is important to avoid a misapplication of the term. The rebellion having failed of success, the Union is not dissolved ; and, therefore, the disorganized States, only, require to be reconstructed. Had they succeeded in achieving their separation, the Union, to that extent, would have been dissolved, and the question of re-construction have presented a different aspect.

Having, by treason to the General Government, and the inevitable consequences of civil war, accomplished the destruction of their local organizations, and not their disseverance from the Union, they stand in the attitude of States, with their government subverted and overthrown. Re-organization, therefore, becomes an indispensable pre-requisite to the resumption of their powers, and privileges, as sovereign States in the Union. Without this, they have no appropriate medium through which their constitutional rights can be secured or exercised. They cannot choose Senators, or Representatives to Congress, participate in the election of a President, or enjoy any other regulation designed for the common benefit of the States.

And it is only by means of State Governments, that they can perform the functions of States, and discharge the various obligations and duties they owe to the General Government. Until then, the people of these disorganized States must, from necessity, depend for protection upon the Federal Government, under the arm of its military power. But this theory by no means implies that these States must be reduced to a territorial condition, maintained, during their territorial minorage, under a Government provided for them, at the expense of the National Treasury, and be re-admitted into the Union as States. It simply means, what is obviously true, that they have State limits, territory and people, without the essential machinery of State Governments, which are the tests and means of their political existence

Government represents, not merely land and certain defined territorial limits, but the people who established it, and who speak and act through it, as their political organ. These people, in consequence of their treason, having disqualified themselves for the exercise of political rights, and privileges, their State Governments have thereby become suspended, and must remain in abeyance, until this disqualification is removed by act of Federal authority.

Reduced to this condition, the provisional control over these States, until fully reorganized, and restored, is vested in the Federal Government; but when restored, it must be under governments which have emanated from their own people, under Constitutional restrictions. I recognize the right of every State to regulate and shape its own institutions, but this right can and should be exercised, only, in clear conformity with the letter and spirit of the Federal Constitution.

The Constitution prescribes, that "The United States shall guaranty to every State in this Union, a republican form of government." This provision clearly implies an obligation, on the part of the United States, not only to guaranty this form of government "to every State," but the guaranty is to all the States, that the government of each State *shall* be republican in form, whether the people thereof will it or not. This is the plain spirit, and intent of the compact; otherwise, the right already adverted to, that each State may regulate its own institutions, would become a source of imminent peril to the Union. Without this salutary check upon the action of States, we might soon have a cluster of anti-republican governments, springing up within the limits of the Union, to accomplish its retrogression and ultimate overthrow.

The events of the last few years, having fully demonstrated the irrepressible antagonism of slavery, to our Republican institutions, and left the question no longer to abstract discussion, or interpretation; our manifest duty, under the constitution, is, while the authority is rightfully in our hands, to see that no new or remodel-

ed Government is received, which presents this obviously anti-republican feature.

Under proper auspices, and a just regard for mutual rights, the process of reconstruction may keep pace with the advance of our arms. With suitable assistance the people of the insurgent States may be restored to their legitimate rights in the Union, as rapidly as the hostile power is expelled from their borders. To effect this consummation, some rule should be prescribed, plain and just in itself, compatible with the dignity of the Government, and the perpetuity of the Union. Emerging from the calamities of this conflict, let us secure an honorable and permanent peace, and seal forever the terrific fountains of civil war. By doing less than this, we would prove faithless to the sacred trusts committed to our care, embitter the heritage of posterity, and commit a monstrous crime.

No true patriot, no sincere wisher of a restored and honored Union, could desire the wicked and infamous leaders of this rebellion reinstated in their places under this Government, where, by a repetition of their gigantic frauds, and intrigues, they might again attempt, what they have so signally failed to accomplish by the gage of battle. Every motive of self-preservation and the sternest dictates of patriotic duty, demand of us to guard well this vital point. Let us expunge forever these infamous names from the roll of the Union. Let us appeal directly to the less criminal offenders and the more tractable masses. To none others would it be safe or expedient to extend the boon of amnesty or enfranchisement, and not to these even, except upon the just and easy terms of being purged of their treason and plighting anew their faith to the Union.

Any effort at restoration, to be substantial and productive of satisfactory results, should be inaugurated upon a theory which will inspire mutual confidence between the parties, and constitute a basis sufficiently comprehensive to embrace all who, by a recantation of their disloyalty, may qualify themselves for and become entitled to its benefits. The initial point is obviously the most vital, and difficult; for if we start with a wrong reckoning, our future course will be one of constant embarrassments, and fail of ultimate success.

Profoundly impressed with these convictions, and firmly believing that no more feasible mode has yet been devised for securing a speedy and honorable adjustment of our disordered Union, I am prepared to fully endorse the late eminently plain and sensible proclamation of President Lincoln, and until withdrawn, or superseded by some more authoritative act, shall yield to it my earnest and unequivocal support.

I can see, in this Proclamation, much to admire and nothing to condemn. If it be objected that one-tenth, being the number of persons therein designated as the basis of reorganization, be too



small, the appropriate answer is, that it bears a fair proportion to those who, for the last half century, have controlled the politics and usurped the destinies of the South; and will exceed, in each State, the number of those who kindled the fires of this rebellion, and whose treason created the condition of things of which this restored tenth have become the sad and unwilling victims. It is but the beginning of a great consummation, and forms a nucleus, around which the returning loyalty of the South may, daily, and rapidly gather, as they comply with the just and easy terms of the Proclamation.

The Proclamation prescribes only the minimum number necessary to constitute the basis of reorganization, excluding only the more criminal actors, and those who persist in adhering to their treason.

Amnesty is a boon, not a right, and, as criminals before the law, they are in no situation to dictate its terms, but must submit to those which the Government, in the exercise of its clemency, may deem it wise to grant.

If this mode of adjustment engenders revolution in the political relations of the South, it will be a revolution of right against wrong, and of which the oppressed and injured masses will derive the benefits.

By steadily adhering to these principles, as I trust we shall, we may succeed, after much wandering, and great tribulation, in bringing this Government back to its ancient and safer land-marks of universal freedom, and perpetual unity.

I cannot close this communication, and forego the opportunity presented, to congratulate the General Assembly, and the people, upon the auspicious condition of the State. A kind Providence has blessed us with adequate harvests, and a full measure of prosperity in all our undertakings. By His mercy we have been enabled to pass through the trying scenes, now drawing to a close, with honor and success. All efforts, by bad and reckless men, to obstruct the execution of the laws and disturb our domestic peace, have been promptly thwarted. Our obligations to the National Government have been faithfully performed; and our people, whether at home or in the field, have nobly vindicated their devotion to the Union. The financial affairs of the State were never in a sounder condition. Notwithstanding the extraordinary expenditures, rendered unavoidable by military operations, the revenue on hand, and due from the several sources, exceeds, by many thousand dollars, the total indebtedness of the State. Without hazard to our credit, we may challenge comparison with any other State in the Union. For this, much credit is due, and should be awarded, to the out-going Executive, who has administered the affairs of the State with marked economy, and discharged his onerous and complicated duties, with an ability and patriotism deserving of the highest commendation.

Entertaining implicit confidence in your intelligent and patriotic regard for the public interests, and conscious of no motive, on my own part, inconsistent with their advancement, I shall indulge in the hope that our mutual counsels and joint labors, may be productive of good to the commonwealth.

With humble faith that God will continue to bless our young State, and in His own good time deliver our common country from the calamities of cruel war, let us enter upon the discharge of our respective duties.

W. M. STONE.

After the benediction by the Rev. J. N. Chamberlain, the joint convention adjourned *sine die*.

Mr. Bereman moved that the House do now adjourn until 10 o'clock to-morrow morning.

Carried, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
FRIDAY, January 15th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. P. F. Bresee.

Journal of second day read, amended and approved.

Journal of third day read, amended and approved.

A message was received from the Senate, at the hands of Mr. Davis, the Secretary, as follows :

MR. SPEAKER :—I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked :

*Resolved by the Senate, the House concurring,* That the Senate will meet the House in joint convention on Saturday, the 16th inst., at 11 o'clock A. M., for the purpose of electing a United States Senator, State Printer, State Binder, and Warden of Iowa State Penitentiary.

Also, that the Senate has passed the following bill : Senate File No. 5 : A bill for an act to repeal Section 7, Chapter 17, of Acts of Regular Session of the 9th General Assembly.

And Senate File No. 3 : A joint resolution asking Congress to increase the pay of all non-commissioned officers and privates in the service of the United States.

WM. F. DAVIS, Secretary of Senate.

Mr. Gilchrist offered the following resolution, which was adopted :

*Resolved by the House of Representatives, the Senate concurring,* That we as Representatives of the people of Iowa, are proud to express our appreciation of the stern and lofty patriotism, the inflexible integrity, and the consummate skill and ability of the Hon. Samuel J. Kirkwood, late Governor of our State, in managing the finances and other important interests of our people—in meeting at the threshold a rebellion that has no parallel in the history of our race—in organizing and infusing into our brave citizen soldiers, that courage and devotion which has made them a terror to our enemies, and an honor to our State; and which emphatically points him out as a man worthy of a wider sphere of usefulness, and a broader field of action.

Mr. Moir offered the following resolution, and moved its adoption, which was carried :

*Resolved by the House of Representatives,* That in the Inaugural Address of Gov. Wm. M. Stone, delivered to the General Assembly of the State of Iowa, on the 14th day of January, 1864, we recognize an able eloquent, patriotic and statesman-like document, second to none ever presented to a State Legislature.

Mr. McNutt, chairman of the Committee on Credentials, presented the following report :

Your committee report that they find the credentials of William Saunderson, of the 32d District, correct, and that he is entitled to a seat in this House. Also that the credentials of Mr. C. R. Johnson, from the 13th District, have been submitted to them, and that he is entitled to a seat in this House.

[Signed,]

SAMUEL McNUTT, Chairman.

Mr. Moir presented the credentials of W. A. Lathrop of the 53 District which were referred to the committee on credentials, who reported that the credentials were correct.

On motion, the report was amended by adding Mr. Lathrop's name. Adopted.

These members were then sworn in.

Mr. Bereman called for the reading of the resolutions received from the Senate.

Mr. Dorr moved that the House do concur in the resolution.

Mr. Russell, of Washington, moved to amend by striking out "11 o'clock A. M." and insert "2 o'clock P. M." Lost. The resolution was then concurred in.

Senate File No. 3: A joint resolution asking Congress to increase the pay of all non-commissioned officers and privates in the service of the United States was called up, and read first and second times.

Mr. Mills offered the following amendment.

SECTION 2. Be it further resolved, that the Secretary of State be instructed to furnish each Senator and Representative in Congress,

of this State, with a copy of this resolution. Adopted. The resolution was read a third time and passed.

Mr. Baylies offered the following resolution, and moved its adoption.

*Resolved by the House of Representatives the Senate concurring,* That a committee of two on the part of the House, with a like committee on the part of the Senate, be appointed to prepare and report joint rules for the action of the two houses, and that Messrs. Moir and Finkbine be said committee on the part of the House. The resolution was adopted.

Mr. Bell offered the following resolution, and moved its adoption.

*Resolved,* That the Chief Clerk be authorized to purchase one copy of Websters Unabridged Dictionary for the use of this House.

Mr. Weare moved to amend by adding one copy for each member.

Mr. Russell, of Washington, moved to lay the resolution on the table. Carried.

Mr. Dorr offered the following resolution.

*Resolved,* That — copies of the Governor's inaugural be printed in pamphlet form for the use of this House.

Mr. Russell, of Washington, offered the following substitute :

*Resolved,* That the Speaker of this House is hereby directed to call on the Governor elect and solicit for publication a copy of his inaugural address, and that five thousand copies be printed for the use of the members of this House.

Mr. Finkbine moved to strike out 5000, and insert 4000 in English, and 1000 in German. On which question the yeas and nays were demanded and ordered, resulting as follows :

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Galland, Green, Hale, Hildreth, Hixon, Helm, Holdridge, Jeffries, Joy, Johnson, King, Logan, Lindley, Lindsey, Magill, Maxwell, Mills, Munsell, McMaken, McCall, Nelson, Russell of Jones, Runyan, Oliver, O'Brien, Parker, Perry Potter, Sanderson, Skiles, Thompson, Van Sandt, Vinton, Weare Wolf, and Mr. Speaker—50.

The nays were, Messrs. Bereman, Burke, Brown, Carey, Campbell, Cort, Close, Clark, Fry, Finkbine, Garrett, Glendenning, Gose, Gilchrist, Horton, Hurst, Knox, Latham, Lathrop, Littler, Lyons, Merriam, Meissner, Moir, McNutt, McCormick, McKnight, Russell of Washington, Richards, Paulk, Pritchard, Sears, Simpson, Sturgis, Styles, Stanton, Smith, Spurrier, Sweet and White—40.

Absent or not voting, Carbee and Christoph.

The motion prevailed.

On a motion to file the blank with "ten thousand in English," the yeas and nays were demanded, and ordered, resulting as follows :

The yeas were, Messrs. Bell, Buckham, Davis, Fenn, Galland, Hale, Hildreth, Hixon, Helm, Holdridge, Jeffries, Johnson, King, Lindley, Magill, Maxwell, Meissner, Munsell, Oliver, Parker, Perry, Potter, Sanderson, Skiles, Thompson—25.

The nays were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Dorr, Elliott, Fry, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Gilchrist, Horton, Hurst, Joy, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Merriam, Mills, Moir, McMaken, McNutt, McCall, McCormick, McKnight, Nelson, Russell of Jones, Russell of Washington, Richards, Runyan, Paulk, Pritchard, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Spurrier, Sweet, VanSandt, Vinton, Weare, Wolf, White and Mr. Speaker—64.

Absent or not voting—Christoph, Darby and O'Brien.

The motion did not prevail.

On motion the blank was filed as follows :

6,500 in English ; 1,500 in German ; 1,000 in Norwegian ; 500 in Bohemian, and 500 in Holland, provided the translation in all cases does not exceed \$25 in cost.

Mr. Baylies offered the following :

*Provided further*, That the printing ordered in foreign languages can be done in this State. Lost.

Mr. Finkbine moved to adjourn. Lost.

The substitute of Mr. Russell, as amended, was adopted.

The following message was received from the Senate at the hands of the Secretary, Mr. Davis :

MR. SPEAKER :—I am directed to inform the honorable House of Representatives that the Senate has adopted the following resolution :

*Resolved by the Senate, the House of Representatives concurring*, That when the joint convention assembles, as provided by resolution, to elect a U. S. Senator, State Printer, State Binder, and Warden of the Penitentiary, said convention shall, immediately after said elections, proceed to elect three Bank Commissioners, and also three Directors of the State Bank of Iowa ; in which the concurrence of the House is asked.

W. F. DAVIS, Secretary of Senate.

Mr. Maxwell offered the following resolution, which was adopted :

*Resolved*, That all public documents when published for this House, shall be placed in the hands of the Postmaster, and shall be by him distributed to each member of this House, in equal numbers.

*Resolved*, That if the documents aforesaid shall not be called for for the space of three days from the time of delivery as aforesaid, the Postmaster shall then deliver them to any member who may call for them.

On motion, the House adjourned until 2 o'clock P. M.

Two o'clock, P. M.

House met pursuant to adjournment.

Mr. Moir offered the following resolution, which was adopted.

*Resolved*, That the Secretary of State be requested to furnish the officers of this House with pens and portfolios, of the same kind and the same number, as are already furnished to members of this House.

Mr. Fenn offered the following resolution:

*Resolved*, That we look with pride and satisfaction upon the records our soldiers have made since the war of the rebellion was inaugurated and that their unequalled bravery on every battlefield, from Wilson's Creek, where the blood of the Iowa 1st mingled with the crimson tide that flowed from the wounds of the brave Lyon, down through a series of engagements more bloody and decisive in their character, than any others of the war and which culminated in the defeat of the Rebel hords at, or near Chattanooga, commands the admiration of the civilized world, and placing us under a debt of gratitude to our brave soldiers in the field, that money alone can never repay. The resolution was unanimously adopted.

Mr. Maxwell offered the following resolution, which was lost.

*Resolved*, That the Postal privileges, as granted to the members of this House be and is hereby extended to the principal Clerk of this House and his assistants enrolling and engrossing clerks, to the Postmaster, Sergeant-at-arms and doorkeeper.

Mr. Baylies offered the following resolution, and moved its adoption, which was carried.

*Resolved by the House of Representatives of the State of Iowa, the Senate concurring*, That the colonels of the Iowa regiments engaged in the service of their country be respectfully requested to furnish the Adjutant General of the State at their earliest convenience with a brief history of their respective regiments, showing what they have accomplished and endured, not only upon the battlefield, but upon the march and in camp, with a view that the information thus obtained may hereafter be embodied into a permanent history and monument of their patriotism, their heroism and the achievements of the soldiers of Iowa.

*Resolved*, Further that the Adjutant General be requested to communicate the above resolution to the colonels of the respective regiments.

Mr. Nutt offered the following resolution, which was adopted.

*Resolved*, That the clerks, Sergeant-at-arms and doorkeeper of the House be allowed five daily papers, or their equivalent in weeklies, and one dollar's worth of postage stamps per week.

Mr. Thompson offered the following resolution:

*Resolved*, That the Secretary of State be, and he is hereby authorized to have printed and distributed ten copies of Gov. Stone's

inaugural address to every company of Iowa Volunteers now in the service of the United States. Adopted.

Mr. Sears offered the following resolution :

*Resolved*, That the Speaker be directed to employ Master Thurston as an additional messenger for this House, and that he be allowed the same compensation as other messengers employed by this House.

Mr. Baylies moved to substitute the name of "Whicher" for that of "Thurston". Motion lost.

The question recurring on the motion to adopt the original resolution

Mr. Moir demanded the yeas and nays, which were ordered, and were as follows :

The yeas were, Messrs. Andrews of Keokuk, Bereman, Bruce, Bell, Buckham, Burke, Campbell, Davis, Fuller, Finkbine, Glendenning, Hildreth, Hixon, Helm, Holdridge, King, Lathrop, Lindsey, Magill, Maxwell, Mills, Munsell, Runyan, Perry, Sears, Sweet, Thompson, Vinton, Weare and Mr. Speaker—30.

The nays were, Messrs. Andrews of Decatur, Bromley, Baylies, Brown, Carey, Cort, Close, Clark, Day, Darby, Dorr, Elliott, Fenn, Fry, Garrett, Galland, Green, Hale, Horton, Hurst, Jeffries, Joy, Johnson, Knox, Latham, Logan, Littler, Lindley, Lyons, Merriam, Meissner, Moir, McMaken, McCall, McCormick, McKnight, Nelson, Russell of Jones, Richards, Oliver, Parker, Paulk, Pritchard, Potter, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, VanSandt, Wolf and White—55.

Absent or not voting—Carbee, Christoph, Gose, Gilchrist, McNutt, Russell of Washington, O'Brien.

The following message was received from the Senate at the hands of Mr. Davis :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked :

S. F. No. 22 : Bill for an act detaching the County of Cass from the 3d Judicial District, and annexing the same to the 5th Judicial District.

S. F. No. 23 : Bill for an act fixing the time of holding Courts in the County of Cass, of the 5th Judicial District.

S. F. No. 24 : Bill for an act fixing the time of holding Courts in the 3d Judicial District.

WM. F. DAVIS, Secretary of Senate.

Mr. Bromley offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring*, That we earnestly recommend that discharged soldiers, who have been disabled by wounds or disease in the service of their country, should have the preference, as far as they are competent, in being

employed in all the positions within the gift of the Federal and State governments. Adopted.

Mr. Johnson offered the following resolutions:

*Resolved*, That seats in this Hall be awarded to the members of this House by lot, and that a committee of three members be appointed by the Speaker to arrange the details of the drawing, and that said committee be ordered to report at ten o'clock A. M., Saturday, January 16th, 1864.

Which was, on motion, laid upon the table.

Mr. Close offered the following resolution:

*Resolved*, That the Chief Clerk of this House be requested to furnish its members with one copy each of the school laws passed at the regular session of the last General Assembly.

Mr. Moir moved that the Senate message be taken up. Carried.

Senate File No. 5: A bill for an act to repeal Section 7, Chapter 17, Acts of Regular Session of the 9th General Assembly, was taken up.

Mr. Moir moved that it be referred to a select committee, to consist of Messrs. Magill, Bereman and Stiles. Carried.

Senate File No. 22: A bill for an act detaching the County of Cass from the Third Judicial District, and annexing the same to the Fifth Judicial District, was taken up, and read the first and second times.

Mr. Hale moved that the rule be suspended, the bill be read the third time now. Carried.

Mr. Russell, of Jones, moved to reconsider the vote just taken. Carried.

Mr. Bell moved that the bill be referred to a committee of three from each District affected by the change proposed.

The motion prevailed, and the chair appointed as said committee Messrs. Bell, Hale and Mills, from the 3d District; and Messrs. Darby, Lindley and Fenn, from the 5th District.

Senate File No. 23: A bill for "An act fixing the time of holding Courts in the County of Cass, of the 5th Judicial District," was taken up, read the first and second times, and on motion, was referred to the committee on Senate File No. 22.

S. F. No. 24: An act fixing the time of holding Courts in the 3d Judicial District, was taken up, read the first and second times, and, on motion, referred to a committee from the 3d District, consisting of Messrs. Johnson, Hale and Elliott.

Mr. Wearo moved that the committee on rules do now report. Carried.

Mr. Moir, chairman of said committee, presented his report.

Mr. Bereman moved to amend by striking out the 42d Rule. Adopted.

Mr. Bereman also moved to amend by striking out *two* in the second rule, and inserting *five*. Carried.



The report as amended was adopted.

Mr. Bereman moved that 300 copies be printed, and 100 copies be left in the hands of the Secretary of State.

Mr. Moir moved that a committee be appointed to take charge of the rules, and superintend the printing of the same. Carried.

The Chair appointed as said committee, Messrs. Moir, Finkbine, Logan, Baylies and Hale.

Mr. Bell, from select committee presented the following report.

The select committee, to whom was referred Senate File No. 22, "An Act detaching the county of Cass from the third Judicial District and annexing the same to the fifth Judicial District," have had the same under consideration, and have instructed me to report the same back to the House, and recommend its passage.

A. J. BELL, Chairman.

Adopted.

The bill was read a third time, and on the question "shall the bill pass," the yeas and nays were as follows :

The Yeas were :

Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McCall, McCormick, McKnight, Nelson, Russell of Jones, Richards, Runyan, Oliver, Parker, Paulk, Perry, Prichard, Potter, Sanderson, Sears, Simson, Sturgess, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker.—85.

Absent or not voting, Messrs. Carbee, Christoph, Gose, Gilchrist, McNutt, Russell of Washington and O'Brien.

The bill was passed and the letter agreed to.

Mr. Magill moved to adjourn until 10 o'clock to-morrow. Carried.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
SATURDAY, January 16th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. J. A. Nash.

Mr. Christoph, of Dubuque Co, came forward, and was sworn in, and subscribed to the oath, and took his seat as a member.

The Journal was read, corrected and approved.

Mr. Weare moved to reconsider the vote by which the report of the committee on Rules was adopted.

Mr. Oliver moved to lay the motion to reconsider on the table. Lost.

The question recurring on the motion to reconsider it prevailed.

Mr. Finkbine moved to reconsider the motion to amend the second Rule. Carried.

Mr. Bereman moved to amend the Rule by striking out "two" and inserting "five." Lost.

The Report of the Committee was then adopted.

Mr. Paulk moved to reconsider the vote on the resolution in regard to public Documents. Carried.

Mr. Bereman introduced the following resolution, which was adopted:

*Resolved*, That all the public documents published by this House be placed in the hands of the Secretary of State, by the State printer or Binder, and that he retain in his own hands 300 copies of each, published in the English language, and shall furnish to the members of this House one bound copy thereof, at the end of the Session; That he shall place twenty bound copies in the State library; and shall retain the balance of said 300 in his own hands for future use; and the balance of such documents to be distributed among the members equally. Adopted.

Mr. Bell of the select committee, on leave presented the following report, which was adopted:

Your Committee to whom was referred Senate File No. 23: "An Act fixing the time of holding courts in the county of Cass, of the 5th Judicial District," have had the same under consideration, and they have instructed me to report the same back to this House, with a recommendation that it pass.

A. J. BELL, Chairman.

Mr. Baylies moved that the rule be suspended, the Bill read a third time and put upon its passage. Carried.

Upon the question "Shall the Bill pass?" the yeas and nays were as follows:

The Yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormick, McKnight, Nelson, Russell, of Jones, Russell, of Washington, Richards, Runyan, Oliver, O'Brien, Par-

ker, Paulk, Perry, Pritchard, Potter, Sanderson, Sears, Simpson, Sturgiss, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt, Vinton, Weare, Wolf, and White—90

Messrs. Thompson, and Mr. Speaker, not voting or absent.

The Bill passed and the title was agreed to. Mr. Carbee moved that a committee of two be appointed to inform the Senate that the House is ready to go into Joint Convention. Carried.

The Chair appointed Messrs. Carbee and Bereman, said Committee, Mr. Baylies moved that Mr. Vinton act as teller on the part of the House.

The motion prevailed:

The Committee to wait upon the Senate reported that they had performed their duty, and asked to be discharged.

Mr. Bereman moved that the House take a recess of five minutes to prepare for Joint Convention. Carried.

The hour of 11 o'clock having arrived, the Senate entered the Hall and took the seats assigned them.

The President announced that they had met in joint convention to elect a United States Senator, State Printer, State Binder, Warden of the Penitentiary, three Bank directors, and three Bank commissioners, and announced Senator Udell as Teller on the part of the Senate.

The joint convention then proceeded to the election of United States Senator.

Senator Foot nominated the Hon. James W. Grimes of Des Moines county.

Mr. Paulk nominated Hon. John D. Jennings of Dubuque county, upon calling the roll the result was as follows:

Whole number of votes cast.....	134
Necessary to a choice.....	63
Of which James W. Grimes received.....	123
John D. Jennings received.....	5
And Mr. Love received.....	1

Those gentlemen voting for Mr. Grimes were:

Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Brömley, Bell, Buckham, Baylies, Burke, Brown of the Senate, Brown of the House, Bassett, Burdick, Brunson, Brayton, Boardman, Bridges, Carey, Carbee, Campbell, Close, Clark of the House, Clark of the Senate, Clarkson, Crookham, Cutts, Day, Darby, Davis, Dorr, Dixon, Elliott, Feun, Fry, Fuller, Finkbine, Foote, Flaugh, Garrett, Galland, Green, Glendenning, Gose, Gilchrist, Gue, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Hart, Henderson, Hogin, Hurley, Hillyer, Hesser, Hunt, Hatch, Hilsinger, Jeffries, Joy, Johnson, Knox, King of the House, King of the Senate, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir,

McMaken, McNutt, McCall, McCormick, McKnight, McJunkin, McCrary of Lee, McCrary of Van Buren, Moore, McMillan, Merrill, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Patterson, Parvin, Russell of Jones, Russell of Washington, Runyan, Roberts, Ross, Sanderson, Sears, Simpson, Sturgess, Styles, Stanton, Spurrier, Skiles, Smith, Sweet, Saunders, Stubbs, Shippen, Thompson, Udell, Van Sandt, Vinton, Weare, Wolfe, White, Wharton, Woolson, Young and Mr. Speaker—128.

Those voting for Mr. Jennings were, Messrs. Christoph, Gray, O'Brien, Paulk and Richards—5.

Mr. Cort voting for Mr. Love.

James W. Grimes having received a majority of all the votes cast was declared duly elected United States Senator for the term of six years from the 5th day of March, 1865.

The President announced that nominations for State Printer were in order.

Mr. Gue, nominated Francis W. Palmer, of Polk county.

Mr. Richards nominated A. P. Richardson, of Clayton county.

A vote was taken with the following result:

Whole number of votes cast was.....	134
Necessary to a choice.....	68
Of which F. W. Palmer received.....	126
A. P. Richardson received.....	8

Those gentlemen voting for Mr. Palmer were:

Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown of the Senate, Brown of the House, Bassett, Burdick, Brunson, Brayton, Boardman, Bridges, Carey, Carbee, Campbell, Close, Clark of the House, Clark of the Senate, Clarkson, Crookham, Cutts, Day, Darby, Davis, Dorr, Dixon, Elliott, Fenn, Fry, Fuller, Finkbine, Foote, Flaugh, Garrett, Galland, Green, Glendenning, Gose, Gilchrist, Gue, Hale, Hildrith, Hixon, Helm, Horton, Hurst, Holdridge, Hart, Henderson, Hogin, Hurley, Hillyer, Hesser, Hunt, Hatch, Hilsinger, Jeffries, Joy, Johnson, Knox, King of the House, King of the Senate, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormick, McKnight, McJunkin, McCrary of Lee, McCrary of Van Buren, Moore, McMillan, Merrill, Nelson, Oliver, Parker, Perry, Prichard, Potter, Patterson, Parvin, Russell of Jones, Russell of Washington, Runyan, Roberts, Ross, Sanderson, Sears, Simpson, Sturgess, Stiles, Stanton, Spurrier, Skiles, Smith, Sweet, Saunders, Stubbs, Shippen, Thompson, Udell, Van Sandt, Vinton, Weare, Wolfe, White, Wharton, Woolson, Young, and Mr. Speaker.—126.

Those who voted for Mr. Richardson, were Messrs. Cort, Christoph, Gray, Jennings, Knoll, O'Brien, Paulk and Richards—8.

The President declared that Francis W. Palmer had received a majority of all the votes cast, and was elected State printer.

The President announced that nominations for State Binder were in order.

Mr. Henderson nominated F. M. Mills, of Polk county.

Mr. Richards nominated E. Meuler, of Alamakee county.

A vote was then taken, resulting as follows:

Whole number of votes cast.....	131
Necessary to a choice.....	66
Of which F. M. Mills received.....	124
E. Meuler received.....	7

Those voting for Mr. Mills were :

Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown of the Senate, Brown of the House, Bassett, Burdick, Brunson, Brayton, Boardman, Bridges, Carey, Carbee, Campbell, Close, Clark of the House, Clark of the Senate, Clarkson, Crookham, Cutts, Day, Darby, Davis, Dorr, Dixon, Elliott, Fenn, Fry, Fuller, Finkbine, Foote, Flaugh, Garrett, Galland, Green, Glendenning, Gose, Gilchrist, Gue, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Hart, Henderson, Hogin, Hurley, Hillyer, Hesser, Hunt, Hatch, Hilsinger, Jeffries, Joy, Johnson, Knox, King of the House, King of the Senate, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormick, McKnight, McJunkin, McCrary of Lee, McCrary of Van Buren, Moore, McMillan, Merrill, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Patterson, Parvin, Russell of Jones, Russell of Washington, Runyan, Roberts, Ross, Sanderson, Sears, Simpson, Sturgess, Stiles, Stanton, Spurrier, Skiles, Smith, Sweet, Sanders, Stubbs, Shippen, Thompson, Udell, Vansandt, Vinton, Weare, Wolfe, White, Wharton, Woolson, Young, and Mr. Speaker—124.

These voting for Mr. Meuler were Messrs. Cort, Christoph, O'Brien, Gray, Jennings, Paulk, and Richards—7.

Mr. F. M. Mills having received a majority of all the votes cast, was declared by the President duly elected State Binder.

The President announced that nominations for Warden of the State Penitentiary were in order.

Mr. McCrary, of Lee, nominated E. A. Layton of Lee County.

Mr. Richards nominated Valentine Buechel, of Scott County.

A vote was then taken with the following result:

Whole number of votes cast.....	136
Necessary to a choice.....	69
Of which E. A. Layton received.....	128
Valentine Buechel received.....	8

Those voting for Mr. Layton were

Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, of the Senate, Brown of the House, Bassett, Burdick, Brunson, Brayton, Boardman, Bridges, Carey, Carbee, Campbell, Close, Clark of the House, Clark of the Senate, Clarkson, Crookham, Cutts, Day, Darby, Davis, Dorr, Dixon, Elliott, Fenn, Fry, Fuller, Finkbine, Foote, Flaugh, Garrett, Galland, Green, Glendenning, Gose, Gilchrist, Gue, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Hart, Henderson, Hogin, Hurley, Hillyer, Hesser, Hunt, Hatch, Hilsinger, Jeffries, Joy, Johnson, Knox, King of the House, King of the Senate, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormick, McKnight, McJunkin, McCrary, of Lee, McCrary, of Van Buren, Moore, McMillan, Merrill, Nelson, Oliver, Parker, Perry, Prichard, Potter, Patterson, Parvin, Russell of Jones, Russell of Washington, Runyan, Roberts, Ross, Sander-son, Sears, Simpson, Sturgess, Stiles, Stanton, Spurrier, Skiles, Smith, Sweet, Saunders, Stubbs, Shippen, Thompson, Udell, Van Sandt, Vinton, Weare, Wolfe, White, Wharton, Woolson, Young, and Mr. Speaker—128.

Those voting for Mr. Buechler were Messrs. Cort, Christoph, Gray, Jennings, Knoll, O'Brien, Paulk, and Richards—8.

Mr. Layton having received a majority of all the votes cast, was declared duly elected Warden of the State Penitentiary, for two years after the expiration of his present term.

The President announced that nominations for Bank Directors were next in order.

Mr. Woolson nominated E. T. Edgerton, of Lucas County, Reuben Noble, of Clayton County, and L. F. Sherman, of Washington County.

Mr. Richards nominated J. W. Thomas, of Allamakee County, W. H. L. Pusey, of Pottawattamie County, and Austin Corbin, of Scott County.

A vote was then taken, with the following result:

Whole number of votes cast.....	126
Necessary to a choice.....	64
Of which E. T. Edgerton received.....	119
Reuben Noble       “ .....	119
L. F. Sherman     “ .....	118
J. W. Thomas     “ .....	8
W. H. L. Pusey    “ .....	9
Austin Corbin     “ .....	8

Those voting for Messrs. Edgerton, Noble and Sherman were:

Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown of the Senate,

Brown of the House, Bassett, Burdick, Brunson, Brayton, Boardman, Bridges, Carey, Carbee, Campbell, Close, Clark of the House, Clark of the Senate, Clarkson, Crookham, Cutts, Day, Darby, Davis, Dorr, Dixon, Elliott, Fenn, Fry, Fuller, Finkbine, Foote, Flaugh, Garrett, Galland, Green, Glendenning, Gose, Gilchrist, Gue, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Hart, Henderson, Hogin, Hurley, Hillyer, Hesser, Hunt, Hatch, Hilsinger, Jeffries, Joy, Johnson, Knox, King of the House, King of the Senate, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissener, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormick, McKnight, McJunkin, McCrary of Lee, McCrary of Van Buren, Moore, McMillan, Merrill, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Patterson, Parvin, Russell of Jones, Russell of Washington, Runyan, Roberts, Sanderson, Sears, Simpson, Sturgess, Stiles, Stanton, Spurrier, Skiles, Smith, Sweet, Saunders, Stubbs, Shippen, Thompson, Udell, Van Sandt, Vinton, Weare, Wolfe, White, Wharton, Woolson, Young and Mr. Speaker—118.

Those who voted for Messrs. Thomas, Pusey and Corbin were Messrs. Cort, Christoph, Gray, Jennings, Knoll, O'Brien, Paulk and Richards—8.

Mr. Ross voted for Messrs. Noble, Edgerton and Pusey.

Messrs. Edgerton, Noble and Sherman having received a majority of all the votes cast, were thereupon declared duly elected Directors of the State Bank of Iowa for the term of two years.

The President then announced that nominations for Bank Commissioners were in order.

Mr. McCrary, of VanBuren, nominated Wm. Bickford of Jefferson County, Thomas A. Graham of Tama county, E. S. Griffeth of Polk County. Mr. Richards nominated H. Bracewell of Wayne County, Byron Rice of Polk County, and Justin Clark of Des Moines County.

A vote was taken, with the following result :

Whole number of votes cast.....	122
Necessary to a choice.....	63
Of which Wm. Bickford received.....	114
Thomas A. Graham received.....	114
E. S. Griffeth                   “ .....	114
H. Bracewell                   “ .....	8
Byron Rice                   “ .....	8
Justin Clark                   “ .....	8

Those gentlemen who voted for Messrs. Bickford, Graham and Griffeth were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown of the Senate, Brown of the House, Bassett, Burdick, Brayton, Boardman, Bridges, Carbee, Campbell, Close, Clark of the House, Clark of the Senate, Clarkson, Crookham, Cutts, Day, Darby, Da-

via, Dorr, Dixon, Fenn, Fry, Fuller, Finkbine, Foote, Flangh, Garrett, Galland, Green, Gose, Gilchrist, Gue, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Hart, Henderson, Hogin, Hill-  
 yer, Hunt, Hatch, Hilsinger, Jeffries, Joy, Johnson, Knox, King of  
 the House, King of the Senate, Latham, Lathrop, Logan, Littler,  
 Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner,  
 Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormick, Mc-  
 Junkin, McCrary of Lee, McCrary of VanBuren, Moore, McMillan,  
 Merrill, Nelson, Oliver, Parker, Perry, Pritchard, Patterson, Par-  
 vin, Russell of Washington, Runyan, Roberts, Sanderson, Sears,  
 Stiles, Stanton, Spurrier, Skiles, Smith, Sweet, Saunders, Stubbs,  
 Shippen, Thompson, Udell, VanSandt, Vinton, Weare, Wolfe,  
 White, Wharton, Woolson, Young and Mr. Speaker—114.

Those who voted for Messrs. Clark, Rice and Bracewell were,  
 Messrs. Cort, Christoph, Gray, Jennings, Knoll, O'Brien, Paulk  
 and Richards—8.

Messrs. Bickford, Graham and Griffeth, having received a major-  
 ity of the votes, were thereupon declared duly elected Bank Com-  
 missioners for the term of two years.

The following certificates were then signed by the President of  
 the Senate and Speaker of the House of Representatives, and at-  
 tested by the Tellers, in presence of the joint convention, and read  
 by the Clerk :

REPRESENTATIVES HALL, }  
 DES MOINES, IOWA, Jan. 16, 1864. }

This will certify, that at an election by the Senate and House of  
 Representatives of the State of Iowa, in joint convention assembled,  
 at the Capitol, on Saturday, the 16th day of January, A. D. 1864,  
 for the purpose of electing a United States Senator, Jas. W. Grimes  
 having received a majority of all the votes cast for said office, was  
 declared duly elected United States Senator for the term of six  
 years from and after the fourth day of March eighteen hundred and  
 sixty-five.

Signed in the presence of the joint convention the day and year  
 first above written.

E. W. EASTMAN,  
 President of the Senate.

JACOB BUTLER,  
 Speaker of the House of Representatives.

Attest, N. UDELL, Teller of the Senate.

H. C. VINTON, Teller of the House.

REPRESENTATIVES HALL, }  
 DES MOINES, IOWA, January 16th, 1864. }

This will certify, that at an election by the Senate and House of  
 Representatives of the State of Iowa in joint convention assembled,



at the Capitol, on Saturday, January 16th, A. D. 1864, for the purpose of electing a State Printer, Francis W. Palmer having received a majority of all the votes cast for said office, was declared duly elected State Printer for the term of two years from and after the 1st day of May, A. D. 1864, or until his successor is elected and qualified.

Signed in the presence of the joint convention, the day and year first above written.

E. W. EASTMAN,  
President of the Senate.

JACOB BUTLER,

Speaker of the House of Representatives.

Attest, N. UDELL, Teller of the Senate.

H. C. VINTON, Teller of the House.

REPRESENTATIVES HALL, }  
DES MOINES, IOWA, January 16th, 1864. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa in joint convention, on Saturday, January 16th, 1864, for the purpose of electing a State Binder, Frank M. Mills having received a majority of all the votes cast for said office, was duly declared elected State Binder for the term of two years from and after the expiration of the term of present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention this 16th day of January, A. D. 1864.

E. W. EASTMAN,  
President of the Senate.

JACOB BUTLER,

Speaker of the House of Representatives.

Attest, N. UDELL, Teller of the Senate.

H. C. VINTON, Teller of the House.

REPRESENTATIVES HALL, }  
DES MOINES, IOWA, Jan. 16th, 1864. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa in joint convention assembled, on Saturday, the sixteenth day of January, eighteen hundred and sixty-four, for the purpose of electing a Warden of the Iowa State Penitentiary, Edward A. Layton having received a majority of all the votes cast, was duly elected for the term of two years from and after the expiration of the term of the present incumbent.

E. W. EASTMAN,  
President of Joint Convention.

JACOB BUTLER,

Speaker of the House of Representatives.

Attest, N. UDELL, Teller for Senate.

H. C. VINTON, Teller of House of Representatives.

REPRESENTATIVES HALL, }  
DES MOINES, IOWA, January 16th, 1864. }

This is to certify, that at an election of the two Houses of the General Assembly of the State of Iowa in joint convention, on Saturday, January 16th, 1864, for the purpose of electing Bank Directors, E. T. Edgerton, of Lucas County, having received a majority of all the votes cast for said office, was duly declared elected Director of State Bank of Iowa for the term of two years from and after the expiration of the present incumbent, or until his successor is elected and qualified.

Signed in the presence of the joint convention this 16th day of January, A. D. 1864.

E. W. EASTMAN,  
President of the Senate.  
JACOB BUTLER,

Speaker of the House of Representatives.

Attest, N. UDELL, Teller of the Senate.  
H. C. VINTON, Teller of the House.

REPRESENTATIVES HALL, }  
DES MOINES, IOWA, Jan. 16th, 1864. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa in joint convention, on Saturday, Jan. 16, 1864, for the purpose of electing Bank Directors, Reuben Noble, of Clayton County, having received a majority of all the votes cast for said office, was declared duly elected Director of the State Bank of Iowa for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 16th day of January, A. D. 1864.

E. W. EASTMAN,  
President of the Senate.  
JACOB BUTLER,

Speaker of the House of Representatives.

Attest, N. UDELL, Teller of the Senate.  
H. C. VINTON, Teller of the House.

REPRESENTATIVES HALL, }  
DES MOINES, IOWA, January 16th, 1864. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa in joint convention, on Saturday, January 16th, 1864, for the purpose of electing three Directors of the State Bank of Iowa, L. F. Sherman, of Washington County, having received a majority of all the votes cast for said office, was duly declared elected Director of the State Bank of

Iowa for the term of two years from and after the expiration of the present incumbent, or until his successor is elected and qualified.

Signed in the presence of the joint convention this 16th day of January, A. D. 1864.

E. W. EASTMAN,  
President of the Senate.

JACOB BUTLER,  
Speaker of the House of Representatives.

Attest, N. UDELL, Teller of the Senate.

H. C. VINTON, Teller of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, Jan. 16, 1864. }

This is to certify, that at an election of the two Houses of the General Assembly of the State of Iowa in joint convention assembled, on Saturday, January 16th, 1864, for the purpose of electing Bank Commissioners, Wm. Bickford, of Jefferson County, having received a majority of all the votes cast for said office, was declared duly elected Bank Commissioner for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 16th day of January, A. D. 1864.

E. W. EASTMAN,  
President of the Senate.

JACOB BUTLER,  
Speaker of the House of Representatives.

Attest, N. UDELL, Teller for Senate.

H. C. VINTON, Teller for House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, Jan. 16, 1864. }

This will certify, that at an election by the Senate and House of Representatives of Iowa, in joint convention assembled, at the Capitol, on the date above written, for the purpose of electing three Bank Commissioners, Thomas A. Graham having received a majority of all the votes cast, was declared duly elected to the office of Bank Commissioner for the term of two years from the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 16th day of January, 1864.

E. W. EASTMAN,  
President of the Senate.

JACOB BUTLER,  
Speaker of the House of Representatives.

Attest, N. UDELL, Teller of the Senate.

H. C. VINTON, Teller of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, Jan. 16th, 1864. }

It is hereby certified, that at an election by the Senate and House of Representatives of the State Iowa, on this day, in joint convention assembled, for the purpose of electing three Bank Commissioners, E. S. Griffith, of Polk County, having received a majority of all the votes cast for said office, was declared duly elected Bank Commissioner for the term of two years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the joint convention, the day and year above written.

E. W. EASTMAN,  
 President of the Senate.  
 JACOB BUTLER,

Speaker of the House of Representatives.

Attest, N. UDELL, Teller of the Senate.

H. C. VINTON, Teller of the House.

On motion, the joint Joint Convention adjourned *sine die*.

Mr. Breman moved that when the House adjourn, it be until 10 o'clock, Monday morning. Carried.

On motion, House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 January 18th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Mr. McCraig.

Journal of Saturday read and approved.

The Speaker announced the following Standing Committees of the House :

WAYS AND MEANS.—Messrs. Gilchrist, Merriam, Bereman, Weare, Sturgis, Runyan, Oliver, Littler, McNutt, and Richards.

MILITARY AFFAIRS.—Messrs. Andrews of Keokuk, McCall, McKnight, Johnson, Moir, Parker, McCormick, Sanderson and Galland.

SCHOOLS AND STATE UNIVERSITY.—Messrs. Hildreth, Finkbine, Darby, Parker, Moir, Wolt, Dorr, McNutt, and Vinton.

ELECTIONS.—Messrs. Littler, Lathrop, Pritchard, Helm, White, Muncell, and Lindsey.

COUNTY AND TOWNSHIP ORGANIZATION.—Messrs. Nelson, Bell, Paulk, Gose, Skiles, Horton, Johnson, Potter, Stanton, and Fuller.

FEDERAL RELATIONS.—Messrs. Russell of Washington, Spurrier, Sears, Bromley, Stanton, Davis. White, Van Sandt, and Hurst.

**DOMESTIC MANUFACTURES.**—Messrs. Helm, Glendening, Andrews of Decatur, Fry, O'Brien, Buckham, Lindley, and Christoph.

**JUDICIARY.**—Messrs. Bereman, Moir, Stiles, Russell of Washington, Hale, Burke, Holdridge, Wolf, Joy, Elliott, and McCormick.

**AGRICULTURE.**—Messrs. Thompson, Maxwell, Dorr, Garrett, King, Close, McMakin, Lindley, and Jeffries.

**BANKS AND BANKING.**—Messrs. Weare, Gilchrist, Littler, Bell, Magill, Hildreth, Skiles, McMahon.

**INCORPORATIONS.**—Messrs. Bell, Bromley, Andrews of Decatur, Carey, Clark, Darby, Garrett, Glendening.

**RAILROADS.**—Messrs. Magill, Baylies, Logan, Galland, Nelson, Oliver, and Bruce.

**CLAIMS.**—Messrs. Moir, Sears, Russell of Jones, Jeffries, Clark, Carey, Thompson, Johnson, and Simpson.

**PUBLIC LANDS.**—Messrs. Russell of Jones, Merriam, Davis, Hixon, Day, Carbee, and Smith.

**PUBLIC BUILDINGS.**—Messrs. Hale, Baylies, Mills, Magill, Gose, Simpson, and Campbell.

**CONSTITUTIONAL AMENDMENTS.**—Wolf, Elliott, Fenn, Day, Carbee, Campbell, and Buckham.

**EXPENDITURES.**—Messrs. Parker, Hixson, Horton, Andrews of Keokuk, Russell of Jones, Gose, Greene, Johnson, and King.

**PRINTING.**—Messrs. McNutt, Logan, Hildreth, Fenn, Van Sandt, Meisner, and Clark.

**ENGROSSED BILLS.**—Messrs. Holdridge, and Vinton.

**ENROLLED BILLS.**—Messrs. Runyan, Horton, and Nelson.

**IMPROVEMENT OF DES MOINES RIVER.**—Messrs. Logan, McCall, Maxwell, Lindley, McCormick, Lindsey, Fry, and Carey.

**INTERNAL IMPROVEMENTS.**—Messrs. Van Sandt, White, Green, Sturgis, McKnight, Latham, Knox, and Close.

**ROADS AND HIGHWAYS.**—Messrs. Dorr, Spurrier, Brown, Perry, Cort, and Fry.

**NEW COUNTIES.**—Messrs. Davis, Vinton, Pritchard, Sturgis, Sears, Sanderson, and Potter.

**LIBRARY.**—Messrs. Stiles, Burke, Joy, Bereman, Sanderson, Hale, Darby, and Glendening.

**CHARITABLE INSTITUTIONS.**—Messrs. Finkbine, Runyan, Davis, Lyons, Brown, Bruce, Latham, and Fuller.

**RULES.**—Messrs. Elliott, Russell of Washington, Paulk, Munsell, Sweet, and Andrews of Decatur.

**SENATORIAL AND REPRESENTATIVE DISTRICTS.**—Messrs. Baylies, Finkbine, Horton, Maxwell, Lyons, Mills, Lathrop, and Knox.

**JUDICIAL DISTRICTS.**—Messrs. Burke, Sturgess, Joy, Sweet, Lindsey, Bell, Meissner, and McCormick.

**CONGRESSIONAL DISTRICTS.**—Messrs. Merriam, Richards, Hurst, Pritchard, Potter, Smith, Green, Stanton, King, Campbell, and Perry.

**POLICE REGULATIONS.**—Messrs. Sears, O'Brien, Meissner, Simpson, Oliver, Lindsey, and Cort.

#### PETITIONS.

Mr. Hildreth presented a petition praying for a Registry Law which, on motion, was reported to Committee on Elections.

Mr. Bereman presented a petition from Henry County praying for a Registry Law which, on motion, was referred to Committee on Elections.

Mr. McNutt, presented a petition from the members of the Board of Supervisors of Muscatine County, praying for additional compensation to the District Attornies of the State of Iowa. Referred to Committee on Judiciary.

Mr. Lathrop, presented a petition praying for a Registry Law. Referred to Committee on Elections.

Mr. Spurriur presented a petition from the Board of Supervisors of Johnson County, in relation to delinquent taxes due the state for the year 1857. Referred to Committee on ways and means.

Mr. Cary presented a petition from the Citizens of Davis County, praying for an independent School district. Referred to Committee on Schools and Universities.

Mr. Finkbine presented a petition in regard to legalizing Acts of Boards of Supervisors. Referred to Committee on Roads and Highways.

Mr. Buckham presented a petition of Captain William Hoyt, praying for pay for rations, &c. Referred to Committee on Claims.

#### REPORTS OF COMMITTEES.

Mr. Finkbine, from Committee on Rules, reported additional rules, which were adopted.

Mr. Hale, from Select Committee, reported as follows:

Your Select Committee, to whom was referred Senate file No. 24, "An Act to define the times of holding Courts in the Third Judicial District," beg leave to report that they have had the same under consideration, and instructed me to report the following amendment and recommend its passage.

WM. HALE, Chairman.

#### RESOLUTIONS.

Mr. Berreman offered the following Resolution:

**WHEREAS**, By act of March 24th, 1860, an appropriation of \$1460 was made for payment of salary of W. C. Drake, Commissioner of the Des Moines River improvement, which the Keokuk, Des Moines and Minnesota Railroad were required to refund to the State; therefore,

*Resolved*, That the Treasurer of State be requested to inform this

Honse whether said sum has ever been re-paid ; and, if not, whether any steps have been taken to have it done.

The resolution was laid over under the rule.

Mr. Hildreth offered the following resolution :

*Resolved*, That the Committee on Township and County organization be, and is hereby, instructed to inquire into the expediency of abolishing the Supervisor System of County Government and substituting therefor the Commissioner System, and that said Committee report by bill or otherwise.

Mr. Moir moved to lay resolution on the table, and demanded the yeas and nays, which were ordered, resulting as follows :

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bell, Baylies, Burke, Brown, Campbell, Carbee, Cort, Christoph, Close, Dorr, Fuller, Garrett, Green, Hale, Helm, Jeffries, Lathrop, Littler, Lindley, Lyons, Mills, Munsell, Moir, McMaken, McNutt, Nelson, Russell of Jones, Russell of Washington, Richards, Runyan, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Sears, Simpson, Stanton, Smith, Sweet, Weare and Wolf—47.

The nays were, Messrs. Bromley, Buckham, Carey, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Finkbine, Galland, Glendenning, Gose, Gilchrist, Hildreth, Hixon, Horton, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Logan, Lindsey, Merriam, Magill, Maxwell, Meissner, McCall, McCormick, McKnight, Oliver, Sanderson, Sturgis, Stiles, Skiles, Spurrier, Thompson, Van Sandt, Vinton, White and Mr. Speaker.—45.

The motion prevailed.

Mr. Nelson offered the following resolution :

*Resolved*, By the General Assembly of the State of Iowa, that we view with profound admiration, the lofty patriotism manifested by those of our State who have gone forth to battle for our country's rights ; the unparalleled heroism universally displayed ; the enduring patience and manly resignation with which, during this protracted struggle, they have endured sufferings, peculiar to soldier life ; that we deeply mourn the loss of those who have fallen martyrs to our holy cause—tender our warmest sympathy to the sick and wounded ; and bidding our army God speed, we pledge to it the continuance of our sympathy and support, until with treason dead, and justice triumphant, the victorious patriots shall be welcomed back to their peaceful abodes.

*Resolved*, That a copy of the above resolution be forwarded by the Secretary of State to the Commanding Officer of every Iowa Regiment and Battery in the United States service.

Mr. Russell of Washington, moved to lay the Resolutions on the table. Lost.

Mr. Russell of Washington, moved to refer the resolutions to Committee on Military Affairs. Carried.

Mr. Oliver offered the following resolution :

*Resolved*, By the House, that the Secretary of State be respectfully requested to furnish a suitable chair for the use of the speaker ; the cost thereof not to exceed the sum of Twenty Dollars.

On motion it was laid on the table.

Mr. Sears offered the following resolution :

*Resolved*, That the State Sanitary Agent and Surgeon at large, be directed to furnish this House so much of his report as is not embodied in the report of the Adjutant General.

Laid over under the rule.

Mr. McNutt offered the following resolution, which, on motion, was referred to committee on elections :

*Resolved*, That the Committee on Election be instructed to inquire into the expediency of a Registry Law, and to report by bill or otherwise.

Mr. Gilchrist offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring*, That our Senators in Congress be instructed, and our Representatives be requested, to ask Congress to make an appropriation to survey and construct a Ship Canal around (what are designated) the Upper and Lower Rapids of the Mississippi River, not only as a military necessity, but incidentally as of vast importance to the agricultural and commercial interests of the North West, and that a Committee of Correspondence, of three, be appointed, one from the Senate and two from the House, to confer with the Legislatures of Minnesota and Wisconsin, now in session, and ask their co-operation in the laudable object, and that a copy of this resolution be sent to each of our Senators and Representatives in Congress.

Which, on his own motion, was laid over under the rule.

Mr. Sears offered the following resolution :

*Resolved*, That the Speaker be authorized to employ an additional Messenger in this House, whenever he is of the opinion that the convenience of the members requires it, and that the compensation of the said additional Messenger be the same as other messengers employed by this House.

Mr. Bromley moved to lay the resolution on the table. Lost.

Mr. Logan offered as a substitute, the following :

*Resolved*, That the Speaker be requested to employ Victor Peters, one of the present Paper Folders of the House, as First Messenger, and Marion York, one of the present Messengers of the House, as 2d Paper Folder.

Which was adopted.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER :—I am directed to inform the Honorable House of Representative, that the Senate has appointed Senators Woolson and Stubbs a Committee on Joint Rules, to confer with a like Com-



mittee appointed on the part of the House ; and that the Senate has adopted the following resolutions, in which the concurrence of the House is asked :

*Resolved by the Senate, the House of Representatives concurring,* That in place of the number of copies of Rules heretofore ordered printed by either House, there shall be printed 500 copies of the Rules of the Senate, 500 copies of the Rules of the House of Representatives, and 500 copies of the Joint Rules of both Houses, and a like number of copies of the name of the officers and members of this General Assembly, with the usual statistics of age, place of residence, &c. : that the same be bound with paper covers into 500 volumes—150 of which the Secretary of State shall preserve for the use of the next General Assembly, and the remaining 350 be distributed equally among the said officers and members.

*Resolved by the Senate, the House of Representatives concurring,* That the Secretary of State be directed to procure a new flag staff for the Capitol building, and to cause the flag to be raised and lowered upon the same, at the convening and adjournment of each day.

W. F. DAVIS, Secretary of Senate.

Mr. Magill offered the following resolution :

*Resolved,* That the Adjutant General be directed to report to this House the amount paid to the Northern Border and Southern Border Brigades, or for any expenses connected therewith.

The resolution was laid over under the rule.

Mr. Bereman gave notice that on to-morrow he would introduce an Amendment to Rule 61.

Mr. Russell of Washington, moved to take up the Governor's Message, and that it be referred to a select committee of five. Carried.

Messrs. Russell of Washington, Stiles, Hildreth, Moir, and Russell of Jones, were appointed said Committee.

The following communication was received and read :

IOWA STATE AGRICULTURAL SOCIETY, }  
SECRETARY'S OFFICE, DES MOINES, Jan. 15, 1864. }

*Mr. Speaker and Gentlemen of the House of Representatives :—*I have the honor to inform you, that at a meeting of the Board of Directors of the Iowa State Agricultural Society, held January 14, 1864, it was unanimously

*Resolved,* That the thanks of the State Board of Agriculture be tendered to the House of Representatives for the courtesy extended them during the ceremonies connected with the inauguration of His Excellency, Gov. Wm. M. Stone.

Most respectfully your obedient servant,

J. M. SHAFFER,  
Sec'y Iowa State Agricultural Society.

Mr. Hale moved to take up Senate File 24: "A Bill for an Act fixing the time of holding Courts in the Third Judicial District," and that the rule be suspended, and the Bill read the third time. Carried.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Feun, Fry, Fuller, Finkbine, Garrett, Galland, Green, Glendenning, Gose, Gilchrist, Halo, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, King, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormick, Nelson, Richards, Runyan, Oliver, O'Brien, Parker, Paulk, Perry, Potter, Sanderson, Sears, Simpson, Sturgess, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Vansandt, Vinton, Weare, Wolfe, White, and Mr. Speaker.—Yeas 87.

Absent or not voting, Burke, McKnight, Pritchard, Russell of Jones, Russell of Washington.

The Bill was passed and the Title approved.

Mr. Sears, moved that so much of the Senate Message as refers to Joint Rules, be concurred in. Carried.

Mr. Hurst moved to concur in the Senate resolution in relation to flag, &c. Carried.

Mr. Galland moved to adjourn.

The motion prevailed, and the House adjourned.

Two o'clock, P. M.

House met pursuant to adjournment.

Mr. Russell of Washington, from Select Committee, on leave, presented the following report, which was adopted.

The Select Committee, to whom was referred the Governor's Message, beg leave to report that they have considered the same and respectfully recommend the following distribution of the subjects therein contained:

1st. That so much as relates to the Finances of the State be referred to the Committee of Ways and Means.

2d. That so much as relates to the Schools and University, and School and State University Funds, and School and University Lands, and the five hundred thousand acre grant, be all referred to the Committee on Schools and State University.

3rd. That so much as relates to the Des Moines Grant be referred to the Committee on Improvement of Des Moines River.

4th. That so much as refers to the Swamp Land Grant, be referred to the Committee on Public Lands.

5th. That so much as refers to the Agricultural College Grant, be referred to the Standing Committee on Agriculture.

6th. That so much of the Message as refers to the Supreme Court, be referred to the Committee on the Judiciary.

7th. That so much as relates to the Historical Society, and State Library, be referred to the Committee on Library.

8th. That so much as relates to Charitable Institutions, be referred to the Committee on Charitable Institutions.

9th. That so much as refers to the Penitentiary, be referred to the Committee on Public Buildings.

10th. That so much as refers to the Military and to organizing Volunteer Companies, be referred to the Committee on Military Affairs.

11th. That so much as refers to Federal Affairs, be referred to the Committee on Federal Relations.

All of which is respectfully submitted.

S. A. RUSSELL, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Johnson introduced House File No. 1, "A bill for an act to amend Chapt. 45, of the Revision of 1860, and for the relief of disabled soldiers, and the widows and minor children of deceased soldiers."

The bill was read first and second times, and referred to committee on Ways and Means.

Mr. Bereman moved that the rule be suspended, and that two committees be added to the Standing Committees of the House, one on Sanitary Affairs, and one on Suppression of Intemperance. Carried.

Mr. Moir introduced House File No. 2, "A bill for an act to pay the traveling and other incidental expenses of the District Judges in this State."

The bill was read a first and second time, and referred to the committee on Ways and Means.

Mr. Merriam introduced House File No. 3, "A bill for an Act in relation to the collection of Taxes in Lee County," which was read a first and second time, and referred to delegates from Lee County.

Mr. Galland introduced House File No. 4, "An Act for the benefit of the Iowa & Missouri State Line Railroad Company." Read a first and second time, and referred to the committee on Railroads.

Mr. Runyan introduced House File No. 5, "A bill for an Act to amend Chapt. 161, of the Laws of the Ninth General Assembly,

approved April 8th, 1862." Read a first and second time, and referred to committee on Charitable Institutions.

Mr. Green introduced House File No. 6, "An Act to amend Section 2193, of the Revision of 1860." Read a first and second time, and referred to committee on Agriculture.

Mr. Bereman introduced House File No. 7, "A bill for an Act to amend Chapt. 103, of the Acts of the Ninth General Assembly, entitled 'An Act to provide for the publication and distribution of the report of the Adjutant General.'" Read a first and second time, and referred to the committee on Printing.

Mr. Weare introduced House File No. 8, "A bill for an Act to provide for the printing and distribution of the Adjutant General's Report for 1864." Read a first and second time, and referred to committee on Printing.

Mr. Clark introduced House File No. 9, "A bill for an Act to amend an act, entitled 'An Act creating a County Board of Supervisors, defining their duties and the duties of certain county officers,'" approved March 22d, 1860. Read a first and second time.

Mr. Andrews, of Keokuk, moved to lay the bill on the table.

Mr. Oliver demanded the yeas and nays, which were ordered, resulting as follows:

Those voting yea were, Messrs. Andrews of Keokuk, Bereman, Bruce, Bell, Baylies, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Dorr, Fuller, Garrett, Glendenning, Green, Hale, Hildreth, Helm, Holdridge, Jeffreys, Latham, Lathrop, Littler, Lindley, Lyons, Mills, Munsell, McMaken, McNutt, Nelson, Russell of Jones, Russell of Washington, Richards, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Simpson, Stanton, Smith and Vinton—45.

Those voting nay were, Messrs. Andrews of Decatur, Bromley, Buckham, Burke, Clarke, Day, Darby, Davis, Elliott, Fenn, Fry, Finkbine, Galland, Gose, Gilchrist, Hixon, Horton, Hurst, Joy, Johnson, King, Knox, Logan, Lindsey, Merriam, Magill, Maxwell, Meissner, Moir, McCall, McCormick, McKnight, Runyan, Oliver, Sanderson, Sears, Sturgis, Stiles, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—47.

The motion was lost.

Mr. Magill moved that the bill be laid on the table and printed, on which the yeas and nays were demanded, and ordered, resulting as follows:

Those voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckman, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Galland, Glendenning, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holridge, Jeffries, Joy, Johnson, King, Knox, Logan, Lindley, Lindsey, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McCall, McCormick, McKnight, Nelson, Richards, Runyan, Oliver, Paulk, Perry, Pritchard,

Sanderson, Sears, Sturgess, Stiles, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—71.

Those voting nay were, Messrs. Bereman, Bruce, Dorr, Garrett, Green, Latham, Lathrop, Littler, Lyons, Mills, McNutt, Russell of Jones, Russell of Washington, O'Brien, Parker, Potter, Simpson, Stanton and Smith—19.

Absent or not voting—Messrs. Christoph and Close.

The motion prevailed.

Mr. Galland introduced House File No. 10, "A bill for an Act to amend Sec. 4109, Chapt. 160, of the Revision of 1860, concerning Judgment Liens." Read a first and a second time, and referred to committee on Judiciary.

Mr. Galland moved to adjourn until 10 o'clock to-morrow morning. Carried.

The House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
TUESDAY, January 19th, 1864. }

House met pursuant to adjournment.

Prayer by the Rev. Thomas McCague.

Journal of yesterday read, corrected and approved.

Mr. Bereman, from Judiciary Committee, reported back the petition of the Board of Supervisors of Muscatine County, and recommended that it be referred to Committee on Ways and Means. Carried.

PETITIONS.

Mr. Latham presented a memorial from Van Buren County Teachers' Institute, on increasing the efficiency of County School Superintendents. Referred to Committee on Schools.

Mr. Logan presented a petition of John Harper, of Webster County, asking payment for a horse lost in the State Military Service, in the Northern Border Brigade. Referred to Committee on Claims. Also, a petition of Smith T. Conlee, of Webster County, asking payment for a horse lost in the Military Service of the State in the Northern Border Brigade. Referred to Committee on Claims.

Mr. Fuller presented a petition of the Board of Supervisors of Jones Coounty, in regard to Township roads. Referred to Committee on Township Organizations.

## REPORTS OF COMMITTEES.

Mr. Stiles, from Select Committee, to whom was referred Senate file No. 5, "A Bill for an Act to repeal Sec. 7, Chap. 17, Acts of the Regular Session of the Ninth General Assembly," presented a majority report, recommending a substitute for the Bill.

Mr. Magill, from the same Committee, presented a minority report, recommending a substitute for the Bill.

## RESOLUTIONS.

Mr. Moir introduced the following Resolution:

*Resolved*, That the Secretary of the Board of Education be respectfully requested to inform this House, what efforts have been made, if any, to collect the Judgment in favor of the School Fund and against Jas. D. Eads, and his sureties, rendered in the District Court of Lee County, on the 28th day of December, 1860, and the amount collected, if any, and whether the amount due can be collected or not; and what, in his judgment, ought to be done by the present General Assembly regarding the Collection of the said Judgment. Laid over under the rule.

Mr. Bereman called up the Resolution asking for information in regard to the payment of the Salary of W. C. Drake, which passed.

The Resolution, offered by Mr. Gilchrist, relating to an appropriation for Ship Canal, &c., was then taken up and adopted.

Mr. Baylies offered the following Resolution, which was referred to Committee on Federal Relations:

WHEREAS, The construction of a Ship Canal, connecting the Lakes with the Mississippi is a work not only of vast National importance, but one in which the people of Iowa, of Minnesota, of Wisconsin, of Kansas, and of the country extending west of those States to the Pacific have a vast and paramount interest.

*Resolved by the House of Representatives, the Senate concurring*, That our Senators and Representatives in Congress be requested to use their utmost influence to procure such a route for a Ship Canal connecting the Lakes with the Mississippi, and to urge such measures to accomplish the work as are justly due to the vast interests of the people of Iowa.

*Resolved further*, That the Governor of the State be requested to transmit the above Resolution to the executives of Minnesota, Wisconsin and Kansas, with such suggestions with regard to joint or several actions by memorial, or otherwise, as he may deem best.

## INTRODUCTION OF BILLS.

Mr. Parker introduced House File No. 11, "A bill for an Act to repeal Chapt. 11, acts of extra session, Eighth General Assembly, entitled 'An Act for the relief of volunteers who have been, or may

be, mustered into the service of the United States Government.'"  
Read a first and second time, and referred to committee on Judiciary.

Mr. Knox introduced House File No. 12, "A bill for an Act to abolish the State Board of Education." Read a first and second time, and referred to committee on Schools and State Universities.

Mr. Stiles introduced House File No. 13, "A bill for an act to amend Sec. 2733, Chapt. 115, of the Revision of 1860, in relation to jurors and their appearance." Read a first and second time, and referred to committee on Judiciary.

Mr. Finkbine introduced House File No. 14, "A bill for an Act to legalize the action of the Board of Supervisors of Johnson county." Read a first and second time, and referred to the committee on Roads and Highways.

Mr. Close introduced House File No. 15, "A bill for an Act empowering Township Trustees to appoint certain township officers." Read a first and second time, and referred to committee on County and Township Organization.

Mr. Bell introduced House File No. 16, "A bill for an Act to regulate grist mills, and define the duties of millers and mill owners." Read a first and second time, and referred to committee on Agriculture.

Mr. Fuller introduced House File No. 17, "A bill for an Act for the relief of Catharine Morris, daughter of Edward Morris, deceased." Read a first and second time, and referred to committee on Judiciary.

Mr. White introduced House File No. 18, "A bill for an Act empowering the Board of Supervisors to make appropriations for the support of the families of deceased volunteers, and to legalize their acts in certain cases. Read a first and second time.

Mr. King moved to amend as follows:

"That the acts of the Board of Supervisors of any county that have donated any amount of property, real or personal, to the soldiers who have volunteered in said county, are hereby legalized.

The motion prevailed.

The bill was then referred to committee on Sanitary Affairs.

Mr. McNutt introduced House File No. 19, "A bill for an Act to repeal Chap. 72, of the acts of the Third General Assembly of the State of Iowa, entitled 'An Act to prohibit the immigration of free negroes into this State.'" The bill was read the first time.

Mr. Russell, of Washington, moved to lay on the table. The yeas and nays were demanded and ordered, resulting as follows:

Those voting in the affirmative were Messrs. Bell, Buckham, Campbell, Cort, Christoph, Hildreth, Horton, King, McKnight, Russell of Washington, Richards, Oliver, O'Brien, Paulk, Pritchard, Sturgis and Vinton—18.

Those voting in the negative were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Baylies, Burke,

Brown, Carey, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hixon, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormick, Nelson, Russell of Jones, Runyan, Parker, Perry, Potter, Sanderson, Sears, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt, Weare, Wolf, White and Mr. Speaker—73.

Absent or not voting—Mr. Gilchrist.

The motion did not prevail.

The bill was read a second time and referred to committee on Judiciary.

Mr. Green introduced House File No. 20, "A bill for an Act rendering valid the acknowledgment of deeds and other instruments in writing." Read a first and second time, and referred to committee on Judiciary.

Mr. Runyan introduced House File No. 21, "A bill for an Act to provide for the support of the Asylum for the Blind." Read a first and second time, and referred to committee on Ways and Means.

Mr. Runyan introduced House File No. 22, "A bill for an Act making a further appropriation to the Asylum for the Blind." Read a first and second time, and referred to the committee on Ways and Means.

Mr. Oliver introduced House File No. 23, "A bill for an Act legalizing the special tax levied by the Board of Supervisors of Monona County, A. D. 1863, for the payment of bounties to volunteers." Read a first and second time, and referred to the committee on Judiciary.

Mr. Bereman introduced House File No. 24, "A bill for an Act to limit the time of redemption by junior incumbrances." Read a first and second time, and referred to committee on Judiciary.

#### RESOLUTIONS.

Mr. Hixson introduced the following resolution, which, on motion, was referred to committee on Federal Relations:

*Resolved, by the House of Representatives, the Senate concurring,* That our Senators and Representatives in Congress be instructed to support any bill that may be introduced into the Congress of the United States providing that all confiscated lands shall be distributed as homesteads to loyal soldiers serving in the war for the preservation of our political institutions.

Mr. Magill introduced the following resolution, and moved its adoption:

*Resolved,* That on and after Monday next, the 25th day of Janu-



ary, there will be held but one session of the House of Representatives each day, commencing at 2 o'clock P. M.

The motion was lost.

Mr. Harst introduced the following resolution :

*Resolved, by the House of Representatives, the Senate concurring,* That there be a committee of three appointed upon the part of the House, in conjunction with a similar committee upon the part of the Senate, to visit the Lunatic Asylum at Mount Pleasant, and examine into its condition and wants, and report by the 10th of February next, and that there be appropriated ——— dollars to defray the necessary expenses of said committee.

Mr. Russell, of Jones, moved to lay the resolution on the table. The motion prevailed.

Mr. Sturgis introduced the following resolution :

*Resolved,* That the Standing Committee on County and Township Organization be directed to inquire into the expediency of separating the office of County Recorder of Deeds from the office of County Treasury, and of making the County Judge or Clerk of District Court of each County, the Recorder of deeds. And if the Committee deem it expedient, that they be requested to report to this House a bill to that effect, at an early day.

Mr. Russell of Washington, moved to lay the resolution on the table. The yeas and nays were demanded and ordered, resulting as follows :

Those gentlemen, voting in the affirmative, were Messrs. Andrews, of Keokuk, Bruce, Burk, Brown, Cort, Christoph, Green, Hildreth, Horton, Littler, Mills, McMaken, McKnight, Russell of Washington, Richards, O'Brien, Potter, Simpson, Vinton.—19.

Those voting in the negative, were Messrs. Andrews of Decatur, Bereman, Bromley, Bell, Buckman, Baylies, Carey, Campbell, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Galland, Glendenning, Gose, Gilchrist, Hale, Hixon, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Moir, McNutt, McCall, McCormick, Nelson, Russell of Jones, Runyan, Oliver, Parker, Paulk, Perry, Pritchard, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Wolf, White and Mr. Speaker.—69.

Absent or not voting, Messrs. Carbee, Garrett, Munsell and Weare.

The motion did not prevail.

The resolution was then adopted.

Mr. Baylies offered the following resolution, and moved its adoption, which was carried.

*Resolved,* That the Committee on County and Township Organizations be directed to investigate and report what changes, if any, are required in the duties assigned to the Recorder and Treasurer,

the Clerk of the District Court and the County Judge, so as to afford a fair and just remuneration to each officer, and to report by bill or otherwise.

Mr. Thomson introduced the following resolution, which, on motion, was referred to Committee on Federal Relations.

*Be it resolved by the House of Representatives the Senate concurring,* That our Senators and Representatives in Congress from this State, be requested to use their utmost exertions to procure the Western terminus of the contemplated Ship Canal, intended to connect the waters of Lake Michigan with the Mississippi River, located at or as near as possible to the United States Arsenal now being erected on Rock Island.

Mr. Bromley offered the following concurrent resolution, which, on motion, was referred to Committee on Federal Relations.

WHEREAS, Persons of African descent, who are serving as soldiers and seamen in the service of the United States, have proven their valor and fidelity to our Government in many engagements on land and sea; and,

WHEREAS, An unjust distinction is made, in not paying such persons of African decent, the same pay as other soldiers, and seamen, of the same grade. Be it therefore,

*Resolved, by the House of Representatives, the Senate concurring,* That we earnestly recommend that our delegation in Congress, do all they can towards securing the same pay to persons of African descent, who are serving as Soldiers and Seamen in the United States service, that is paid to other Soldiers and Seamen of the same grade.

On motion, the House adjourned until 2 o'clock P. M.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Davis offered the following resolution, which was referred to Committee on Agriculture:

WHEREAS, A large portion of the best land of this State, adapted to the purpose of agriculture, is uncultivated for the want of timber with which to fence it; and,

WHEREAS, The system of fencing in this State is burdensome and expensive; therefore,

*Resolved,* That to facilitate the speedy settlement and cultivation of such lands, a law should be passed restraining all stock from running at large, and such law should embody the principle, that "no

stock should be allowed to trespass upon any cultivated lands, whether the land under cultivation be enclosed or not.

The following Message was received from the Senate at the hands of Mr. Davis, their Secretary:

MR. SPEAKER:—I am directed to inform the Honorable House of Representatives, that the Senate has concurred in the House Amendments to Senate File, No. 24—a Bill for an act fixing the times of holding Courts in the 3d Judicial District.

And has passed Senate File No. 8—A Joint Resolution for the preservation of Bills printed for the General Assembly.

Also, Senate File No. 1—Bill for an Act to repeal Chap. 17, of the Extra Session of the 9th General Assembly, 1862, entitled "An Act to provide for the protection of the Southern Border of this State—in all of which the concurrence of the House is asked.

I am also directed to inform the House that the Senate has unanimously adopted the following resolutions:

*Resolved*, That this Senate has heard with profound sorrow the announcement of the death of Hon. Don A. Carpenter, a member elect of this Senate, from the 30th, Senatorial District of the State of Iowa.

*Resolved*, That the Senate tender the widow and relatives of the deceased, the expression of its deep sympathy in this afflicting bereavement.

*Resolved*, That the Secretary of this Senate, communicate to the widow of the deceased a copy of these resolutions.

*Resolved*, That as a further mark of respect, that a copy of these resolutions be communicated to the House of Representatives, and that the Senate do now adjourn.

WM. F. DAVIS, Secretary of Senate.

Mr. Russell, of Jones, offered the following resolutions, and moved their adoption:

*Resolved*, That this House being made officially acquainted by the message from the Senate, of the decease of Don A. Carpenter, a Senator elect to represent the Thirtieth District in the Senate of Iowa, does hereby express its deep regret at the sad dispensation which has prevented the deceased from taking part in the deliberations of this General Assembly, and heartily concurs with the Senate in giving this expression to its heartfelt sorrow at the decease of the brave and gallant soldier—the able and intelligent Senator elect—the amiable and respected citizen—all combined in the person of the late Don A. Carpenter.

*2d. Resolved*, That this House hereby tenders to the bereaved widow and family of the deceased, its heartfelt sympathy for the irreparable loss they have been called upon to sustain.

On the question, "Shall the resolutions be adopted?" Mr. Russell of Jones remarked as follows:

**MR. SPEAKER:**—I feel it to be my duty on the present occasion to endeavor to pay an humble tribute of respect to the memory of the brave and gallant soldier—the amiable, beloved and respected citizen—the able and intelligent, though untried Senator elect—whose lamented decease has just been announced to us by the Senate, on the present occasion.

It needs no eulogy of words, or attempts at eloquent declamation, to secure respect and admiration for the character, the ability and the deeds of the departed. All that is necessary to secure this is a simple recitation of a few events in his useful, active and well-spent life. The deceased, judging from his personal appearance, must have been about thirty-four years of age. I believe he was born in the State of Ohio, and was educated in the common schools of that noble Commonwealth. In his early life he was a pupil of Governor Kirkwood's, and received the rudiments of his education in a common school taught by the late able and respected chief magistrate of our State. He retained up to the day of his death the confidence, respect and esteem of his early preceptor.

When a youth, and not yet arrived at the age prescribed for admission into the armies of the nation, the war with Mexico was commenced. Don A. Carpenter partook deeply of the patriotic enthusiasm which animated the minds of his older fellow-citizens. He made application for admission into a company of volunteers who were being recruited in the neighborhood in which he resided. He was too young, and was refused admission into the ranks. The company was filled and left for its rendezvous. Young Carpenter was determined that he would succeed in the resolution he had formed. He followed to the rendezvous, and, by his determined and persistent importunities, finally succeeded in securing admission into the ranks of the company. He went through the campaigns in that contest, and returned to his home clothed with a well-earned reputation for bravery, determination, and patriotic devotion to the interests of his country's cause. He emigrated to this State, probably, in 1854, and settled in the county of Jones. Through the native energy and activity of his character, he soon became known as a young man of more than ordinary ability, and speedily secured the confidence, respect, and esteem of his fellow-citizens.

He devoted the greater portion of his time to the business of education, and taught in the common schools of his own and perhaps other districts a number of terms previous to the breaking out of the present rebellion. When the now immortal Ninth Iowa was first summoned to uphold our country's standard, Don A. Carpenter promptly volunteered as a private. His character and abilities being well known and highly appreciated by his comrades in arms, he was at once and unanimously selected as their Captain, and received his commission as such from Governor Kirkwood, his early preceptor. From the time of his muster into the service as Captain of Company

B, down to the final capitulation of Vicksburg, his name is prominently and imperishably associated with the deadly conflicts, the gallant deeds and noble achievements that have contributed to make the Ninth Iowa the pride and glory of our noble State. Mr. Carpenter was promoted to the position of Major immediately after the promotion of Col. Vandever to the rank of General, and in that capacity, for a great portion of the time, had the full command of the Regiment. At the ever memorable battle of Pea Ridge, after the fall of Herron, the command of the Regiment devolved upon Carpenter. He, on that bloody field, contributed to win for himself and his comrades a renown that will be as imperishable as the records of this bloody and most sanguinary rebellion. Through the memorable march of Curtis' Army to Helena, Major Carpenter was in command of the Regiment, and acquitted himself with great ability and success.

Early in the past year his health began to decline until he had reluctantly to leave the field for the hospital. His disease, I understand was Consumption—contracted, no doubt, by the arduous services rendered by him in the discharge of the duties of his position. When scarcely able to move around in the hospital, he heard that his regiment was without a commander, in consequence of the fall of the Lieutenant Colonel, who was wounded in the ever memorable charge on the enemies works around Vicksburg on the 22d of June, 1863. He assumed the command and remained with the Regiment until after the final capitulation of the rebels on the 4th of July last. Major Carpenter's health continued to decline. He obtained a furlough to visit his family, expecting to speedily recover his health. While at his home a convention of his fellow citizens unanimously and enthusiastically nominated him as a candidate for the position of Senator to represent the County of Jones in the present General Assembly. The selection was endorsed by the people and Don A. Carpenter was the Senator elect. But his career on earth was run. A higher life was opened up for him on Friday, the 8th of the present month, and on Sunday following, the once fertile brain, manly heart and all that was mortal of Major Carpenter was deposited in the silent grave.

He is gone, but the memory of his patriotic deeds will be imperishably associated with his name in the annals of our country's history. He has left a widow and small family—may the God of the widow and the fatherless be with and enable them to bear with becoming resignation their sad bereavement.

The resolution was then unanimously adopted.

Mr. Moir offered the following resolution:

*Resolved*, That a copy of these resolutions, together with the remarks of Hon. John Russell, made to this House on the character and death of the deceased, be forwarded by the Speaker to the

widow and family of the deceased, and that they be entered upon the Journal.

The resolution was adopted unanimously. As a further mark of respect, the House adjourned until to-morrow morning at 10 o'clock.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
WEDNESDAY, January 20th, 1864. . }

House met pursuant to adjournment.

Prayer by the Rev. Thomas McCague.

Journal of yesterday read, corrected and approved.

The Speaker announced the following additional Standing Committees :

ON SUPPRESSION OF INTemperance.—Messrs. Stiles, Pritchard, Glendenning, Lyons, Wolf, Sweet, and White.

SANITARY AFFAIRS.—Messrs. Russell of Washington, Galland, Bromley, Johnson, McCall, Carey, and Latham.

PETITIONS.

Mr. O'Brien presented a petition from the Grand Jury of Du-buque County, asking the repeal or modification of "An Act providing for appeals in criminal cases." Referred to Committee on Judiciary.

Mr. Clark presented a petition from the Board of Supervisors of Monroe County, relative to paying out of the Treasury of said County, certain sums to Messrs. Craig & Myres, for Boarding and lodging recruits of the 6th Iowa Infantry. Referred to Committee on Claims.

REPORTS OF COMMITTEES.

The committee on Claims, to whom was referred the petition of W. Hoyt, Capt. of Co. A, 4th Battallion, Southern Border Brigade, begs leave to report that they have had the same under consideration, and have instructed me to report the same back to the House and recommend that it be referred to the standing committee on Military Affairs. All of which is respectfully submitted.

MOIR, Chairman.

The report was adopted.

The committee on Agriculture, to whom was referred House File, No. 6: "A Bill for an Act to amend section 2193, of the revision of 1860," have had the same under consideration, and have directed

me to report the same back to the House, and recommend that it do pass.

H. M. THOMPSON, Chairman.

The committee on Charitable Institutions, to whom was referred House File No. 5: "A Bill for an Act to amend Chapter 161, of the Laws of the Ninth General Assembly, approved April 8th, 1862," have had the same under consideration, and instructed me to report the same back to the House, and recommend its passage.

FINKBINE, Chairman.

The committee on Judiciary, to whom was referred House File No. 10: "A Bill for an Act to amend section 4109, Chapter 160, of the Revision, concerning Judgment Liens," have had the same under consideration, and have instructed me to report it back to this House, and recommend that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred House File No. 13: "A Bill for an Act to amend Section No. 2733, Chap. 115, of the Revision of 1860, in relation to Jurors and their appearance," have had the same under consideration, and have instructed me to report it back and recommend that it do not pass.

BEREMAN, Chairman.

The Judiciary Committee, to whom was referred House File No. 20: "A Bill for an Act rendering valid Acknowledgments to deeds and other instruments in writing," have had the same under consideration, and have instructed me to report back to this House that they deem any legislation upon the subject inexpedient, and recommend that the bill be indefinitely postponed.

BEREMAN, Chairman.

On motion, the report was adopted.

Mr. Russell, of Washington, from Committee on Federal Relations, to whom was referred the joint resolution relating to the construction of a Ship Canal, reported a substitute, which was not adopted.

On motion, the original resolution was then adopted.

Your committee, to whom was referred House File No. 7, and House File No. 8, report said bills back with the recommendation that House File No. 7 *do not pass*, and that House File No. 8 pass, with the following amendments, to wit:

\*After the word "reports," in section 1st, add, "Which have been made during his term of office up to the present time." And after the words "successors in office," in section two, add, "To be sent at the expense of the counties receiving said reports."

All of which is respectfully submitted.

SAMUEL McNUTT, Chairman.

Mr. Moir called up the resolution relating to judgment against James D. Eads, and moved its adoption. The motion prevailed.

Mr. Sears called up the resolution relating to Sanitary Agents, &c., and on motion the resolution was adopted.

#### INTRODUCTION OF BILLS.

Mr. Sanderson introduced House File No. 25, "A bill for an Act to legalize the appointment of members of the Boards of County Supervisors in certain cases, and to provide for the filling of vacancies in said Boards."

Read a first and second time, and referred to committee on Township and County Organizations.

Mr. Galland introduced House File No. 26, "A bill for an Act to amend Chap. 173, of the Revision of 1860, concerning offences against public health." Read a first and second time, and referred to committee on Judiciary.

Mr. Lyons introduced House File No. 27, "A bill for an Act for the protection of sheep and other domestic animals; and for other purposes." Read a first and second time.

On motion, the bill was laid on the table and ordered to be printed.

#### RESOLUTIONS.

Mr. Hale introduced the following resolution, which was laid over under the rule :

*Resolved*, That the Clerk of the Supreme Court be instructed to furnish this House, at as early a day as practicable, with the number of causes heard and determined by said Court, since December 1st, 1861, and the number of causes yet remaining on the docket of said Court undetermined.

Mr. McNutt offered the following resolution, which, on motion, was laid upon the table :

*Be it resolved by the House of Representatives of the State of Iowa, the Senate concurring*, That our Senators in Congress be instructed, and our Representatives be requested, to favor and urge the enactment of a law which shall prevent members of either House of Congress from acting as attorneys for claimants against the United States during the term for which said members shall be elected.

Mr. Lindley introduced the following resolution :

*Resolved*, That the use of this hall be granted for the use of the Farmers' Club on Monday evening of each week, during the present session of the Legislature.

Adopted.

Mr. Johnson introduced House File, No. 28 : "A Joint Resolution, endorsing the Federal Administration and recommending the



re-nomination of Abraham Lincoln for the Presidency." Read and referred to committee on Federal Relations.

Mr. Finkbine offered the following resolution :

*Resolved*, That the Chief Clerk of this House be authorized to frank all letters necessarily written in discharging his duties as Clerk of the House. Adopted.

Mr. Baylies offered the following resolution :

*Resolved*, That the accompanying account of Dan A. Poorman, for furnishing Diagram of the House of Representatives, be referred to committee on Claims, with order to report by bill or otherwise. It was so referred.

Mr. Russell, of Jones, introduced the following resolution :

*Resolved*, That a Special Committee of five be appointed by the Speaker to take into consideration the expediency of the erection and endowment, by the State, of an Orphan Asylum for the support and education of the children of deceased soldiers and other orphan children of this State, who have lost their lives in the military or naval service of our country, and that said committee be instructed to confer with a like committee already appointed by the Senate, and to report the result of their deliberations to this House by bill or otherwise, at an early day.

Adopted.

Mr. Sears introduced the following resolution, which was adopted:

WHEREAS, The Report of the Adjutant General will not be ready for publication for some time, therefore,

*Resolved*, That Adjutant General Baker be invited to address the House to-morrow evening, at half past seven o'clock, upon matters pertaining to his office, and that the Senate be invited to attend.

Mr. Perry introduced the following resolution :

*Resolved*, That a committee of three be appointed to ascertain the amount of mileage due each member of this House.

Mr. Galland offered the following resolutions as a substitute :

*Resolved*, That the committee on Ways and Means be instructed to report a bill immediately, making an appropriation for the payment of the mileage of the members of this General Assembly.

*Resolved*, That a committee of three be appointed to ascertain the amount of mileage due to each member of this House.

The substitute was adopted.

Mr. Van Sandt offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring*, That we heartily endorse the suggestion made in Congress, fixing a uniform time for the election of members of Congress, and allowing all soldiers to vote for Presidential Electors who are entitled to the same, by the laws of the State to which they belong.

*Resolved*, That a copy of the above resolution be forwarded by the Secretary of State to each of our Senators and Representatives in Congress.

Referred to committee on Federal Relations.

Mr. Runyan introduced House File No. 29, "a joint resolution for additional mail facilities." Read a first and second time, and referred to committee on Federal Relations.

Mr. Davis offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring,* That one thousand additional copies of the report of the "Iowa Hospital for the Insane" be printed for the use of the Institution.  
Adopted.

Mr. Bromley offered the following resolution :

*Resolved,* That the Speaker be authorized to appoint one of the members of this House to frank letters and papers for all the employees of this House who have not received postage.

Laid on the table.

Mr. Knox offered the following resolution :

*Resolved by the House of Representatives, the Senate concurring,* That there be appointed, on the part of the House, three of its members, and on the part of the Senate, two of its members, for the purpose of visiting the Penitentiary at Fort Madison, and make a report of its condition and requirements to the Legislature, and that there be appropriated \_\_\_\_\_ dollars for the expenses of said committee.

On motion, laid on the table.

The report of the State Librarian was received, and, on motion, was laid on the table and ordered printed.

The following communication was received from the Treasurer of State:

STATE OF IOWA, TREASURER'S OFFICE, }  
DES MOINES, Jan. 20th, 1864. }

*Hon. Jacob Butler, Speaker of the House of Representatives :*

I have the honor to acknowledge the receipt of a resolution passed by the House of Representatives on the 19th inst., in relation to an appropriation for the payment of the salary of W. C. Drake, Commissioner of the Des Moines River Improvement, and asking whether the amount so appropriated has been refunded to the State.

No part of such salary has ever been refunded. Neither do I understand that any steps have ever been taken by the Commissioners to collect the same.

Respectfully submitted.

WM. H. HOLMES, State Treasurer.

On motion adjourned.

TWO O'CLOCK P. M.

The House met pursuant to adjournment.

The Speaker announced the following select committee on Orphan Asylum:

Messrs. Russell of Jones, Moir, Sears, Johnson and Galland.

Mr. Merriam called up House File No. 3, "A bill for an Act in relation to the collection of taxes in Lee county," and, on motion, it was referred to committee on Judiciary.

Mr. Bereman called up House File No. 5, "A bill for an Act to amend Chap. 161 of the Laws of the Ninth General Assembly."

Mr. Hale offered the following amendment:

"That the name of Hon. S. M. Tubbs, of Mills county, be added to the list of trustees."

The amendment was lost.

The bill was read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those voting in the affirmative were, Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormick, McKnight, Nelson, Russell of Jones, Richards, Runyan, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker.—85.

Those voting in the negative were, Messrs. Andrews of Decatur, Buckham, Elliott, Green, Horton, Russell of Washington, and Sweet.—7.

The bill passed and the title was agreed to.

Senate File No. 5: "A Bill for an Act to repeal Sec. 7, Chap. 17, acts of Regular Session of the Ninth General Assembly, was then taken up with the substitutes reported by the Committee.

The following message was received from the Senate by the hands of Wm. F. Davis, Secretary:

**MR. SPEAKER:**—I am directed to inform the Honorable House of Representatives that the Senate has adopted the following concurrent resolutions:

**WHEREAS**, A proposition is now before Congress to enlarge canals now constructed, and construct others, for the purpose of securing water communication between the Mississippi River and the City of New York, and as it is of vital importance to the interest of Iowa that the proposed Canal shall be located so that all parts of our

State may be benefitted by such new manner of communication. Therefore, be it

*Resolved, by the Senate, the House concurring,* That our Senators and Representatives in Congress are hereby earnestly requested to use their influence to secure the construction of the proposed canal on the shortest route by which the waters of the Hudson River can be connected with the Upper Mississippi.

*Resolved,* That a copy of these resolutions be sent by the Secretary of State to each of our Senators and Representatives in Congress.

Also, Senate File No. 56: "A Bill for an Act to abolish the office of Surgeon General of Iowa."

Also, the following:

*Resolved, by the Senate, the House of Representatives concurring,* That in addition to the number of copies of the Reports of the Trustees and Officers of the Iowa Hospital for the Insane to be printed, as fixed by law, for the use of the members of the General Assembly, there be printed an additional one thousand copies for the use of the officers of said Hospital—in all of which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary.

On motion of Mr. Russell of Washington, the bill and substitute under consideration were referred to the Standing Committee on Banks.

On motion, House adjourned until ten o'clock to-morrow morning.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
THURSDAY, January 21st, 1864. }

House met pursuant to adjournment.

Prayer by the Rev. Dr. Peet.

Journal of yesterday read approved.

#### PETITIONS AND MEMORIALS.

Mr. McNutt presented the petition of John Lardner, for services rendered in instructing Sergeants of Regiments in the manual of arms and general drill-exercise. Referred to committee on Claims.

#### REPORTS OF COMMITTEES.

Mr. Gilchrist, from committee on Ways and Means, reported back House File No. 2: "A Bill for an Act to make an appropria-

tion to pay traveling expenses of District Judges," and recommended that it be referred to committee on Judiciary.

Also, that House File No. 21: "Making appropriations for Blind Asylum," be referred to committee on Charitable Institutions.

Also, that House File No. 22: "A Bill for an Act making further appropriations for Blind Asylum," be referred to same committee. Report adopted.

The committee on Railroads, to whom was referred House File No. 4: "A Bill for an Act for the benefit of the Iowa and Missouri State Line Railroad Company," having considered the same, have instructed me to report the same back and recommend its passage, with the following amendment:

Sec. 2. This act being deemed by the General Assembly of immediate importance, shall take effect and be in force from and after its publication (without expense to the State) in the Iowa State Register, a newspaper published at Des Moines, and in the Gate City, a newspaper published at Keokuk, Iowa.

S. G. MAGILL, for Committee.

#### INTRODUCTION OF BILLS.

Mr. McNutt introduced House File No. 30: "A Bill for an Act legalizing Notarial Acts of D. C. Richman." Read a first and second time, and referred to committee on Judiciary.

Mr. Lindlay introduced House File No. 31: "A Bill for an Act to prohibit Profanity and Obscenity." Read a first and second time and referred to committee on Police Regulations.

Mr. Meissner introduced House File No. 32, "A Bill for an Act concerning the Government of Public Institutions of Charity and Learning." Read a first and second time, and referred to Committee on Schools and Universities.

Mr. Spurrier introduced House File No. 33: "A Bill for an act entitled an act to prevent fraud by Weigh Masters of Public Scales." Read a first and second time, and referred to committee on Agriculture.

Mr. Hale called up his resolution, offered yesterday, asking information from the Clerk of the Supreme Court, and moved its adoption. Carried.

Mr. Paulk introduced the following resolution, which was laid over under the rule:

*Resolved*, That the State Treasurer be requested to furnish to this House a statement of the amount of gold and silver in the Treasury.

Mr. Hixson introduced the following resolution, which was read and referred to committee on Judiciary.

WHEREAS, The Congress of the United States having passed laws for the confiscation of the property of citizens found in rebellion against the Government; and

**WHEREAS**, Numerous tracts and large bodies of land are held and owned in the State of Iowa by the said rebels against the Government;

*Therefore be it resolved*, By the General Assembly, that the Judiciary Committee be instructed to inquire what legislation is needed, if any, and report by bill or otherwise at an early day.

Mr. Fry introduced the following resolution, which was read and referred to committee on Sanitary Affairs:

*Resolved*, That the committee on Ways and Means are hereby instructed to report to this House what legislation, if any, is necessary, to provide by appropriation the necessary amount to supply the wants of the families of non-commissioned officers and privates, who have been, or now are, serving in the ranks of the Iowa troops, together with the best manner of distributing the same. To report by bill or otherwise at an early day.

Mr. Lyons offered the following resolutions, which were referred to committee on Military Affairs:

*Resolved by the General Assembly of the State of Iowa*, That our Senators in Congress be instructed, and our Representatives requested, to use their influence to procure the passage of an act increasing the pay of privates in the army and navy of the United States service, to twenty dollars per month, and also to increase the pay of non-commissioned officers.

*Resolved*, That the Secretary of State shall send copies of these resolutions to each of our Senators and Representatives in Congress.

Mr. Horton moved to take up the resolution relating to Ship Canal, &c. The motion prevailed.

Mr. Baylies moved to refer the resolution to standing committee on Internal Improvement. Carried.

On motion, the Senate resolution relating to the same subject was referred to committee on Internal Improvements.

Mr. Green offered the following resolution, which was read and referred to committee on County and Township Organizations:

*Resolved*, That the committee on County and Township Organizations be instructed to enquire into the expediency of enacting a law providing for the election of Township Collectors, and so amending the Revenue Laws of the State as to adapt them to the Township Collector system.

Mr. Fenn offered the following resolution, which was read and laid over under the rule.

*Resolved*, That the State Treasurer be requested to furnish this House with a statement of the amount of funds on hand in Gold, Silver and Currency, under the following headings:

- 1st. Amount of Gold and Silver.
- 2d. Amount of Demand Notes.
- 3d. Amount of Treasury Notes.
- 4th. Amount of Iowa State Bank Notes.

Mr. Simpson offered the following resolution, which was read and referred to committee on Railroads.

*Resolved*, That the committee on Railroads be instructed to enquire into the propriety of legislation preventing Railroad Companies from raising the rates of fare over their roads without previous notice of such rise—to report by bill or otherwise.

Mr. Thompson offered the following resolution, which was read and referred to committee on Internal Improvements:

*Be it Resolved by the House of Representatives, the Senate concurring*, That our Senators and Representatives in Congress from this State, be requested to use their utmost exertions to procure the Western terminus of the contemplated Ship Canal, intended to connect the waters of Lake Michigan with the Mississippi River, located at or as near as possible to the United States Arsenal, now being erected on Rock Island.

House File No. 6, was taken up. Mr. Oliver offered a substitute for the bill.

Mr. Paulk moved to amend the original bill as follows:

After the words "to wit:" insert the following: "That the Board of Supervisors of any County in this State, shall have power to offer and pay a bounty of five dollars on each of the following animals:"

Mr. Maxwell moved to re-commit the bill with substitute and amendment, to the Committee on Agriculture. Carried.

House File No. 7 was then taken up and read. Mr. McNutt moved that the bill be indefinitely postponed.

Mr. Johnson moved to amend as follows:

That one copy of the Adjutant General's Report shall be deposited with the Town Clerk of each organized Township, to be by him delivered to his successor in office. Amendment lost.

Mr. Merriam moved to amend by striking out of Sec. 2d the word "three." Lost.

Mr. Finkbine moved to amend Sec. 2, by striking out "three" and inserting *one*. The motion did not prevail.

Upon the question, "Shall the bill be indefinitely postponed?" the yeas and nays were ordered, and were as follows:

The yeas were Messrs. Dorr, Russell of Jones, and Parker.—3.

Those voting nay were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clarke, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Jeffreys, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormick, McKnight, Nelson, Russell of Washington, Richards, Runyan, Oliver, O'Brien, Paulk, Perry, Pritchard,

Potter, Sanderson, Sears, Simpson, Sturges, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—87.

Absent and not voting, Messrs. Bell and Christoph.

The motion did not prevail.

Mr. Nelson moved that when the House adjourn, that it be until to-morrow at ten o'clock A. M. Carried.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
FRIDAY, January 22d, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Dr. Peet.

Journal of yesterday read and approved.

The Speaker announced the following gentlemen as Committee on Mileage:—Messrs. Galland, Christoph and White.

#### PETITIONS.

Mr. Parker presented the petition of J. J. Haight and twenty-five others of Wheatland, Clinton county, asking the repeal of the "Prohibitory Liquor Law," and the enactment of a general license law. Referred to committee on Intemperance.

Mr. Bereman presented the petition of J. W. Rankin and others, relating to the reduction of salaries of Judges of the Supreme and District Courts. Read and referred to committee on Judiciary.

#### REPORTS OF COMMITTEES.

The committee on military affairs, to whom was referred the resolution referring to the patriotism, &c., of the Iowa Soldiers, reported the following substitute, which, on motion, was adopted:

The committee to whom was referred the resolutions expressive of the sense of this Assembly towards our soldiers, instruct me to report back the resolution, with the following substitute:

*Resolved by the General Assembly of the State of Iowa,* That we view with pride and admiration the patriotism manifested by those who have gone from our State to battle for the Union; the heroism they have displayed; the patience and resignation with which they have endured the hardships and sufferings incident to soldier life; that we deeply mourn the loss of those who have fallen; tender our sympathies to the sick and wounded; and while we earnestly hope and pray for a continuance of their successes in the field, we



we pledge to them and to the bereaved ones at home a continuance of our sympathy and support; that we will hail with joy the day when, our country being restored to its accustomed peace and quiet, they shall return to enjoy the blessings their valor has won.

*Resolved*, That the Adjutant General be, and hereby is instructed to communicate the foregoing to our officers and soldiers in the field.

The committee on the Judiciary, to whom was referred Resolution No. 3, instructing that committee to inquire into the matter of confiscation of property of rebels, and to report what legislation is necessary, have had the same under consideration, and have instructed me to report the same back to this House, and to state that they are of the opinion that this Assembly has no authority to legislate upon the subject; but that they recommend that the subject be referred to the committee on Federal Relations.

BEREMAN, Chairman.

The report was adopted.

The Committee on the Judiciary, to whom was referred the petition of the Grand Jurors of Dubuque County, asking for a change of Chap. 220, of the Laws of the Sixth General Assembly, in regard to appeals in criminal cases, have had the same under consideration and have instructed me to report the same back to this House, and recommend that no change be made.

BEREMAN, Chairman.

The Judiciary Committee to whom was referred House File No. 26, "A bill for an Act to amend chapter 163, of the Revision of 1860," have had the same under consideration, and have instructed me to report the same back to this House, and recommend that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred House File No. 17, "A bill for an Act for the relief of Catharine Morris, daughter of Edward Morris, deceased," have had the same under consideration and have instructed me to report the same back with a recommendation that it do pass.

WM. HALE, for the Committee.

The committee on Claims, to whom was referred the petition of Smith D. Conlee, asking compensation for the loss of a horse in the military service of the State and for horse hire, have instructed me to report the same back to the House and recommend that the prayer of the petitioner be not granted.

RUSSELL, of Jones.

The report was adopted.

The committee on Claims to whom was referred the claim of D. A. Poorman, beg leave to report that they have had the same under consideration and have instructed me to report the same back to this House, and recommend that \$10 of said claim be allowed, and that the same be referred to the Committee on Ways and Means, and they insert a section in the General Appropriation Bill, making an appropriation for the payment of the same.

MOIR, Chairman.

The report was adopted.

The committee on Claims to whom was referred the claim of John Lardner, begs leave to report that they have had the same under consideration and have instructed me to report the same back to this House, and recommend that said claim be not allowed, all of which is respectfully submitted.

MOIR, Chairman.

The report was adopted.

The Committee on Claims, to whom was referred the claim of John Harper, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House, with the recommendation that said claim be not allowed.

HIXON, Chairman.

The report was adopted.

Your committee, to whom was referred a resolution of the Board of Supervisors of Johnson county, asking this General Assembly to legalize certain of their acts; also a "Bill for an Act to legalize the action of the Board of Supervisors of Johnson county," have had the same under consideration, and have instructed me to report back the bill with slight amendment, and a recommendation that it be passed.

E. DORR, Chairman.

The committee on County and Township Organizations, to whom was referred House File No. 25, "A bill for an Act to legalize the appointment of members of the Boards of County Supervisors in certain cases, and to provide for the filling of vacancies in said Boards," have had the same under consideration, and have directed me to report the accompanying substitute, and recommend the passage thereof.

O. NELSON, Chairman.

The committee on County and Township Organizations, to whom was referred House File No. 15, "A bill for an act empowering Township Trustees to appoint certain township officers," having

considered the same, have instructed' me to report it back to the House, with the recommendation that it do not pass.

O. NELSON, Chairman.

The committee on Agriculture, to whom was referred a resolution recommending that a law should be passed to restrain stock from running at large, have had the same under consideration, and have directed me to report the same back to the House, with a recommendation that it be indefinitely postponed.

H. M. THOMSON, Chairman.

Mr. Davis moved to refer the resolution to a select committee of six—one from each Congressional district.

Mr. Wolf moved to amend the motion by adding, "and that the committee be instructed to inquire into the propriety of restraining cattle, horses and other stock from running at large after the 1st day of October. Carried, and the motion as amended prevailed.

The committee on Agriculture, to whom was referred House File No. 16, have had the same under consideration, and have directed me to report the same back to the House with a substitute, and recommend that the substitute therefor, which is herewith submitted, be accepted by the House, and put upon its passage.

H. M. THOMPSON, Chairman.

The committee on Agriculture, to whom was referred House File No. 33, have had the same under consideration and have directed me to report the same back to the House with amendments and recommend that they be accepted by the House and the bill put upon its passage.

H. M. THOMPSON, Chairman.

The committee on Public Lands, to whom was referred so much of the Governor's Message as referred to swamp lands, have had the same under consideration and have instructed me to report the following joint resolutions to the House and recommend their passage.

JOHN RUSSELL, Chairman.

*Resolved, by the House of Representatives, of the State of Iowa, the Senate concurring, That our Representative in Congress be requested, and our Senators instructed to use their earnest efforts with the Commissioner of the General Land Office, and with the Secretary of the interior to secure a full recognition of the right of the State of Iowa to indemnify for all Swamp Lands disposed of by the General Government since September the 28th, A. D. 1850.*

2. *Resolved, That should their efforts with the Commissioner and Secretary prove to be unsuccessful in securing a full recognition of the right of the State to a full compensation for these lands, they*

are hereby earnestly requested to use their strongest efforts to secure as speedily as possible the passage of a law by Congress, guaranteeing and securing to the State, her indemnity for all Swamp Lands sold by the Government within the State, since September 28th, A. D. 1850.

3. *Resolved*, That a copy of these resolutions be immediately forwarded by the Secretary of State, to each of our Senators and Representatives in Congress.

First and second resolutions were read and adopted.

Mr. Hale offered the following amendment:

*Resolved*, That our Representatives in Congress be further requested, and our Senators be instructed, to secure the passage of an act approving of the selections made by the proper State Agents of this State of Swamp Lands forwarded to the general land office.

On motion, House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The further consideration of the resolution relative to Swamp Lands, was resumed.

Mr. Sears moved to refer the additional resolution to committee on Public Lands. Lost.

Mr. Joy offered the following amendment: "That in the fifth line the word County be inserted after the word 'State' in said line.

Mr. Sears moved to amend the amendment by inserting—"And also secure indemnity for Swamp Lands in those counties where selections have not been made. Carried.

The amendment was then adopted, and the resolution, as amended, was adopted.

The fourth resolution was then read and adopted.

#### REPORTS OF COMMITTEES.

Mr. Weare, from committee on Banks, to whom was referred House File No. 5, with the majority and minority reports, reported the same back to the House, recommending the adoption of the minority report, with accompanying amendments, which were read.

Mr. Bell, from same committee, presented a minority report, which was read.

Mr. Paulk called up resolution of information, relative to funds in the hands of State Treasurer.

Mr. Russell, of Jones, offered the following amendment, which was adopted: "And he is hereby further requested to furnish to this House, a statement of the amount of gold and demand notes received into the Treasury since the passage of chapter 17, of the Acts of the Regular Session of the Ninth General Assembly, relating to revenue—and what disposition, if any, has been made, either in whole or in part, of the amount received."

Mr. Horton presented a memorial of the Board of Trustees of the Iowa State Agricultural College, which, on motion, was referred to committee on Agriculture.

#### RESOLUTIONS.

Mr. Wolf introduced the following resolution, which was adopted:

WHEREAS, Prof. O. Clark, Principal of the Asylum for the Blind, is in this city with a portion of his pupils, in compliance with the request of the Trustees of said institution, for the purpose of giving an exhibition before the members of the General Assembly; therefore,

*Resolved*, That the use of the Hall of the House of Representatives be tendered to Prof. Clark on Saturday evening, January 23d, for said exhibition.

Mr. Baylies introduced the following resolution:

*Resolved, by the House of Representatives*, That the Attorney General be requested to furnish the House with his opinion as to what legislation, if any, is necessary to quiet conflicting claims to lands under State, Railroad, and Des Moines River titles.

Laid over under the rule.

Mr. McMaken offered the following resolution, which was adopted:

*Resolved, by the House, the Senate concurring*, That a Joint Committee of five from the House and three from the Senate, be appointed to confer in relation to preparing a bill to provide for the relief of the families of soldiers from this State, in the service of the United States.

Mr. Elliott offered the following resolution, which was referred to committee on Intemperance:

*Resolved*, That any change in the Act of 1855, entitled an Act for the suppression of Intemperance, and the Act of 1857, supplementary and amendatory thereto, is inexpedient, unwise, and contrary to the express wish of a large majority of the citizens of this State, unless it be to make said acts more efficient.

Mr. McCormick offered the following resolution, which was laid over under the rule:

WHEREAS, It is claimed by the members of the First Iowa Cavalry, that there is due them by the State one and one half months' pay, and which debt the State refuses to pay; therefore be it

*Resolved*, That the Adjutant General of the State be requested to

report to this House all the facts in the case, the reason why the amount claimed to be due has not been paid, and what action, if any, is necessary to be done by this House, to enable such payment to be made.

Mr. Knox offered the following resolution :

*Resolved by the House of Representatives*, That the Committee on Schools and State University be, and they are hereby instructed to inquire into the expediency of repealing that portion of the Common School law which creates township school districts, and substitute therefor independent school districts out of what are now termed sub-districts, causing such districts to make their reports directly to the County Superintendents, and to report the same to this House by bill or otherwise.

Adopted.

Mr. Logan offered the following joint resolution, which was referred to the committee on Federal Relations:

*Be it resolved, by the House of Representatives, the Senate concurring*, That our Senators and Representatives in Congress be requested to use their utmost exertions to procure the establishment of a daily mail from Nevada, Story County, through Webster County; also, a daily mail from Des Moines City to Fort Dodge, on the west side of the Des Moines River; also, a semi-weekly mail from Fort Dodge *via* Rolf, the county seat of Pocahontas county, on the west side of the Des Moines River, to Spirit Lake and Okoboji, in Dickinson County, State of Iowa; also a daily mail from Fort Dodge to Sioux City, *via* Sac City, Ida Grove and Correctionville.

*Resolved*, That the Secretary of State be instructed to forward a copy of this joint resolution to each member of the Senate and House of Representatives in Congress from the State of Iowa, and to the Post Master General of General of the United States

#### INTRODUCTION OF BILLS.

Mr. Johnson, by leave, introduced House File No. 34, "A bill for an Act to provide for issuing and serving certain legal processes on Sunday." Read a first and second time, and referred to committee on Judiciary.

Mr. Bereman moved to take up the resolution relative to the appointment of committee to visit Isane Asylum. Carried.

Mr. Bereman moved to strike out the last clause of the resolution. Carried.

Mr. Moir moved to strike out the word "three" and insert the word "two," and to strike out the word "two" and insert the word "one," in the resolution. The motion prevailed.

Mr. Oliver moved to amend by inserting after the word "Asylum," the word "Penitentiary." Lost.

On motion, the resolution was adopted.

## MESSAGES.

The following message was received from the Governor, and read :

EXECUTIVE OFFICE,        }  
DES MOINES, Jan. 22d, 1864. }

*Gentlemen of the Senate and  
House of Representatives :*

I herewith transmit to your honorable body a copy of the report of Edward Johnston, Joel C. Walker, and Edward A. Layton, commissioners appointed by Chap. 16, acts of the special session of Ninth General Assembly, to lease, on behalf of the State, the labor of the convicts in the penitentiary.

This report shows that, in discharge of the duties assigned them by said act, the commissioners advertised for sealed proposals, by publishing notices in newspapers and distributing printed handbills through the county ; and that, under the notice so given, two bids only were received, neither of which, in their opinion, was of such a character as would have been for the interest of the State to accept.

The existing lease of convict labor to Winterbotham & Jones will expire in June next, and it, therefore, becomes important that some definite arrangements should be adopted during your session for employing the convicts after that time.

It has been suggested to me by persons well acquainted with the condition and affairs of this institution, and who are desirous that the interests of the State should be properly guarded in the matter, that it would be more expedient to retain a considerable number of the convicts, and employ them in carrying out certain repairs and improvements rendered necessary by the present and prospective wants of the institution, than to hire them out before this work is done. A brief examination of this subject has impressed me favorably with this suggestion, and I respectfully submit it to your consideration.

Up to this time, for reasons unnecessary now to be enumerated, the State has derived no advantage whatever from the existing lease of convict labor, and, unless a contract can be secured upon more favorable terms and conditions, it would, in my opinion, be advisable to retain the convicts, or a large number of them, in the employ of the State, until these projected improvements are completed.

You will perceive from the report of the Warden, that there are at this time eighty convicts only in the prison, an unusually small number in proportion to the population of our State, and rendered so by causes which will be apparent to all. The number of cells in the entire building is 160, which, at former periods, have been filled, and with a surplus of convicts on hand without sufficient or

sate quarters. We may reasonably anticipate that the present state of things will not long continue, and that we shall, in a few years, have an increase of convicts entirely beyond the present capacity of the prison to accommodate.

By adding another story to the main building, so as to furnish space for two more tiers of cells, and erecting suitable buildings for a hospital and for the Warden, the institution will be sufficiently enlarged to accommodate nearly 400 convicts. In the prosecution of this work, convict labor can be advantageously employed, and thus materially reduce the expense.

To my mind, these considerations render it necessary that immediate steps be taken for improving the building; and the public interests may be seriously prejudiced by delaying the matter until another General Assembly may convene.

Believing this subject to be of immediate importance, and in view of the necessity of obtaining the most direct and reliable data, as a basis for any action you may deem it wise to take in relation to it, I would suggest the appointment of a joint committee of three or more practical gentlemen, members of your honorable body, with instructions to proceed forthwith to Fort Madison, and carefully examine into the matters herein adverted to, and report the information thus obtained for your consideration.

W. M. STONE.

TO HON. W. M. STONE, *Governor of Iowa* :

The undersigned were appointed Commissioners to lease the convict labor of the Iowa Penitentiary, for a term not exceeding ten years, by an Act of the General Assembly of Iowa, entitled "An Act to provide for leasing the convict labor in the Iowa Penitentiary, after the expiration of the lease now in force." Approved Sept. 10, 1862.

In discharge of their duties they advertised for "Sealed Proposals" for the convict labor, in whole, or in part, and gave great publicity to such notice, by advertising in a number of newspapers of large circulation, in this and other States, and by distributing printed handbills of the same purport, to all points where it was probable bids for convict labor could be obtained.

Under this advertisement, two bids were received, one for the whole, and the other for a portion of the labor, but neither of said bids were of such a character as, in the opinion of the undersigned, would be for the interest of the State to accept, or meet the suggestions in the premises of the Attorney General, and consequently they were rejected.

The Commissioners again advertised the convict labor for lease, and in their second advertisement, designated the number and size of the workshops in the Penitentiary, and the number of convicts whose labor would be leased with each shop. They circulated this



advertisement widely, but received only two bids under it, each for a portion of the convict labor, but as under their former advertisement, and for like reasons, neither of said bids were accepted by the undersigned.

The Commissioners have not advertised the convict labor again, because they have no reason to believe that, under the law and the suggestions of the Attorney General, any other or more favorable or acceptable bids for the same would be made at present, than those heretofore received.

They therefore refer the whole matter, through your Excellency, to the General Assembly, now in session, presuming and hoping that some mode may be devised for the employment of the convict labor by which the interests of the State may be fully secured and protected.

They do this the more readily, as it is expected that a large number of the convicts may be profitably employed in making such additions to the Iowa Penitentiary, as its present wants and condition demand.

The law under which they hold their appointment, fixes no fees for the service of the Commissioners. They have devoted six days, each, to their duties, and ask that proper provision may be made for their compensation.

All of which is respectfully submitted.

[Signed]

EDWARD JOHNSTONE,  
JOEL C. WALKER,  
EDWARD A. LAYTON,

*Commissioners.*

Fort Madison, Iowa, January, 1864.

On motion, the message and accompanying documents were referred to committee on Public Buildings.

House File No. 13, "relating to Jurors and their appearance," was taken up, and, on motion, laid on the table.

House File No. 8, "A bill for an Act to provide for the printing and distribution of the Adjutant General's Report for 1864," was taken up and read.

Mr. Johnson moved to amend as follows: "There shall be sent to the County Clerk of each County in this State, a sufficient number of copies of said report to enable him to furnish one copy to each Township Clerk in his County, to be kept in the office of said Clerk, and by him delivered to his successor in office." Carried.

Mr. Bereman moved to amend by inserting in Sec. 1, after the words "Adjutant General's Report," the words, "for the year 1863." Adopted.

Mr. Finkbine moved that the bill be read and ordered to be engrossed. Carried.

Mr. Johnston called up House File No. 10, "A bill for an Act

to amend Sec. 4109, Chap. 160, of the Revision of 1860, concerning Judgment Liens," which was read.

Mr. Moir moved that it be indefinitely postponed. Carried.

House File No. 4, "A bill for an Act for the benefit of the Iowa and Missouri State Line Railroad Company," was taken up, with report of committee.

Mr. Hurst moved to suspend the rule, and put the bill upon its passage. Carried.

The bill was read a third time, and upon the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Buckham, Baylies, Brown, Darby, Davis, Elliott, Fuller, Finkbine, Garrett, Galland, Green, Hixon, Helm, Horton, Hurst, Jeffries, Johnson, Knox, Merriam, Magill, Maxwell, Mills, Nelson, Russell of Jones, Runyan, Oliver, O'Brien, Sanderson, Sears, Sturgis, Smith, Sweet, Van Sandt, Weare, Wolfe and Mr. Speaker.—39.

The nays were, Messrs. Bereman, Bell, Burke, Campbell, Cort, Christoph, Close, Clark, Day, Dorr, Fenn, Fry, Gose, Gilchrist, Hildreth, Holdridge, Joy, King, Logan, Littler, Lindsey, Lyons, Munsell, Moir, McMaken, McNutt, McKnight, Richards, Parker, Paulk, Perry, Potter, Simpson, Stiles, Stanton, Skiles, Spurrier, Thompson, Vinton, and White.—40.

Absent or not voting—Messrs. Bruce, Carey, Carbee, Glendenning, Hale, Latham, Lathrop, Lindley, Meissner, McCall, McCormick, Russell of Washington, and Pritchard.

The bill did not pass.

Mr. Maxwell asked leave of absence for Mr. McCall, which was granted.

Mr. Russell, of Washington, moved to adjourn. Lost.

Mr. Baylies, by leave, presented a petition, signed by members of the bar of the 3d Judicial District, relating to salaries of Judges of District Courts. Referred to committee on Judiciary.

Mr. Finkbine called up House File No. 14, "A bill for an Act to legalize the action of the Board of Supervisors in Johnson County," with the report of committee, recommending an amendment. The amendment was adopted, and the bill was ordered to third reading.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McKnight, Nelson, Russell of Washington, Richards, Runyan, Oliver, Parker, Paulk, Perry,

Pritchard, Potter, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, White and Mr. Speaker.—83.

The nays were, Messrs. Bereman, O'Brien and Wolf—3.

Absent or not voting, Messrs. Bruce, Glendenning, McCall, McCormick, Russell of Jones, and Sears.

The bill was passed, and the title agreed to.

The Speaker announced as select committee, to whom was referred the Joint Resolution relative to fencing cattle, Messrs. Davis, Garrett, Green, Burke, Close and Gose.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
January 23d, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Dr. Peet. .

Journal of yesterday read and approved.

Mr. Magill moved to suspend the rules, and that the business under consideration at the hour of adjournment, be resumed. Carried.

Mr. Russell, of Jones, moved a reconsideration of the vote taken on Report of Committee on Claims of Conlee & Harper. Carried.

On motion, the report and petitions were recommitted to Committee on Claims.

Mr. Hale moved to reconsider the vote taken yesterday on the Bill for the benefit of the Iowa and Missouri State Line Railroad. Carried.

Mr. Moir moved the reconsideration of the vote by which the Bill was passed to its third reading. Carried.

Mr. Oliver moved to recommit the Bill to Committee on Railroads. Carried.

INTRODUCTION OF BILLS.

Mr. Oliver introduced H. F. No. 35, "A Bill for an Act providing for canvassing the votes for Senators and Representatives in the General Assembly, elected by districts composed of more than one county." Read first and second time, and referred to Committee on Elections.

Mr. Hildreth introduced House File No. 36, "A bill for an Act to provide for the publication of certain Laws in the several counties of the State." Read a first and second time and ordered printed.

Mr. Fry introduced House File, No. 37, "A bill for an Act to restrain persons from carelessly leading or driving stock across

bridges maintained at public charge." Read a first and second time, and referred to committee on Roads and Highways.

Mr. Hale introduced House File No. 38, "A bill for an Act to further define the duties of District Attorneys." Read a first and second time, and referred to committee on Judiciary.

House File No. 7, "A bill for an Act to amend Chap. 103, of the Acts of the Ninth General Assembly, entitled an Act to provide for the publication and distribution of the Adjutant General's Report," was taken up.

Mr. Moir moved to recommit the bill to committee on Printing, with instructions to report in favor of an equal distribution between the members of the last and present Legislature. Lost.

Mr. Baylies moved to amend by striking out the 2d Section.

On the question to amend, the yeas and nays were demanded and ordered, resulting as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Buckham, Baylies, Burke, Brown, Campbell, Cort, Finkbine, Hildreth, Horton, Littler, Merriam, Munsell, McNutt, McKnight, Nelson, Richards, O'Brien, Simpson, Vinton, and Wolf.—22.

The nays were Bereman, Bruce, Bromley, Bell, Carey, Carbee, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hixon, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Lindsey, Lyons, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McCormick, Russell of Jones, Runyan, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, White and Mr. Speaker.—67.

Absent or not voting, Messrs. Lindley, McCall and Russell of Washington.

The motion did not prevail.

On motion, the bill was read a third time. On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Maxwell, Meissner, Mills, Munsell, McMaken, McCormick, Runyan, Oliver, Paulk, Perry, Pritchard, Potter, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, White and Mr. Speaker.—76.

Those gentlemen voting nay were, Messrs. Brown, Campbell, Ly-

ons, Magill, Moir, McKnight, Nelson, Russell of Jones, Richards, O'Brien, Parker, Simpson and Wolf—13.

Absent or not voting—Messrs. McNutt, McCall, and Russell of Washington.

The bill was passed, and the title agreed to.

House File No. 27, "A bill for an Act for the Protection of Sheep and other Domestic Animals," was taken up and read.

Mr. Russell, of Washington, moved it be made the special order for Monday at 11 o'clock. Carried.

House File No. 9, "A bill for an Act to amend an act entitled an Act creating a County Board of Supervisors, &c.," was taken up and referred to committee on County and Township Organization.

House File No. 28, "A bill for an Act to amend Chap. 173, of the Revision of 1860, concerning offenses against Public Health," was taken up.

Mr. Paulk moved that the bill be read a third time, and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays resulted as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Brown, Campbell, Carey, Carbee, Christoph, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garret, Galland, Green, Hildreth, Hixon, Helm, Horton, Hurst, Jeffries, Johnson, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, McMaken, O'Brien, Parker, Potter, Sanderson, Sears, Sweet, Thompson, Van Sandt, Vinton and Weare—46.

Those voting nay were, Messrs. Bereman, Bell, Baylies, Burke, Cour, Close, Clark, Day, Glendenning, Gose, Gilchrist, Hale, Holdridge, Joy, King, Knox, Latham, Latham, Logan, Littler, Munsell, Moir, McNutt, McCormick, McKnight, Nelson, Russell of Jones, Russell of Washington, Richards, Runyan, Oliver, Paulk, Perry, Pritchard, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Wolf, White and Mr. Speaker—44.

Absent or not voting—Messrs. Lindley and McCall.

The bill did not pass.

House File No. 17, "A bill for an Act for the relief of Catharine Morris," was taken up and read a third time. Upon the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Carbee, Close, Clark, Day, Darby, Dorr, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McNutt, McCormick, Nelson, Russell of Jones, Runyan, Oliver, O'Brien, Parker, Paulk,

Perry, Pritchard, Potter, Sanderson, Sears, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, White, and Mr. Speaker—71.

Those voting nay were, Messrs. Bereman, Campbell, Cort, Christoph, Davis, Elliott Horton, Lyons, Munsell, McMaken, McKnight, Russell of Washington, Richards, Simpson, Weare, and Wolf.—16.

Absent or not voting—Messrs. Glendenning, Hurst, Lindley, McCall, and Sturgis.

The bill passed and title was agreed to.

Mr. Holdridge, by leave, introduced House File No. 39, "A bill for an Act to provide relief for the families of Iowa Soldiers." Read a first and second time by its title, and, on motion, laid on the table and ordered printed.

Mr. Oliver, by leave, introduced House File No. 40, "A bill for an act for the relief of William Burton." Read a first and second time by its title, and referred to committee on Claims.

Mr. Hildreth moved to adjourn. Lost.

Mr. Russell of Jones, moved that when the House adjourn that it be until ten o'clock, Monday morning. Carried.

On motion, House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
MONDAY, January 25th, 1864. }

House met pursuant to adjournment.

Journal of Saturday read and approved.

Prayer by Rev. Thompson Bird.

REPORTS OF COMMITTEES.

Mr. Holdridge, from committee on Engrossed Bills, reported back House File No. 8, "An Act to provide for the printing and distribution of the Adjutant General's Report, for 1864."

Your committee on Public Buildings, to whom was referred the Message from His Excellency, Gov. Stone, in relation to the Penitentiary; and also, the Report of the Commissioners to him, have had the same under consideration, and have instructed me to report the same back to the House with the following resolution in relation to the subjects therein, with a recommendation that the same be adopted.

WM. HALE, Chairman.

*Resolved by the House of Representatives, the Hon. Senate concurring,* That a Joint Committee, composed of two on the part of

the House and one on the part of the Senate, be appointed at once to visit the Penitentiary at as early a day as practicable, and that they be instructed to report the result of their investigations in relation to the suggestions and recommendations contained in the Governor's Message of January 22d, and also, other matters pertaining to the public interest in the Penitentiary, to this General Assembly. Adopted.

The committee on Agriculture, to whom was referred the memorial of "The Board of Trustees of the Iowa State Agricultural College," have had the same under consideration, and have instructed me to report the same back to the House, with a recommendation that it be laid on the table, and ask that a committee of three from the House and two from the Senate be appointed to go to Story county and examine the College Farm, and report the condition and situation of the same to the General Assembly; and also, to report an estimate of the amount necessary to erect College buildings.

H. M. THOMPSON, Chairman.

Mr. Russell, of Washington, moved to postpone the whole matter until the 2d Monday of January, 1866.

On the question to postpone, the yeas and nays were demanded and ordered, resulting as follows :

Those gentlemen voting yea were, Messrs. Fry, Green, Knox, McKnight, Russell of Washington, Sweet and Weare—7.

Those gentlemen voting nay were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Galland, Glendenning, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormick, Nelson, Russell of Jones, Richards, Runyan, Oliver, O'Brien, Parker, Paulk, Pritchard, Potter, Sanderson, Sears, Simpson, Stargis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—82.

Absent or not voting—Messrs. Christoph, Lindley and Perry.

The motion to postpone was lost.

Mr. Russell, of Jones, moved to suspend the special order ten minutes. Carried.

The Committee on Roads and Highways reported back House File No. 37, with amendments, and recommended that the bill as amended do pass.

The Committee on Agriculture, to whom was referred House File No. 6, with an amendment to the same, and also a substitute for House File No. 6, have had the whole under consideration, and I am directed to report the same back to the House, with the rec-

ommendation that the original bill be adopted by the House, with the following amendment, to wit: In the ninth line, after the words "wolf scalp," erase the words "three dollars," and insert, "not less than one dollar nor more than five dollars," and that the bill be put upon its passage.

H. M. THOMPSON, Chairman.

#### RESOLUTIONS.

Mr. Latham, by leave, introduced the following resolution, which was referred to committee on Claims:

*Be it Resolved by the House of Representatives, the Senate concurring,* That the Board of Commissioners, created by an act of the General Assembly at its Extra Session in 1861, to audit claims against the war and defence fund, be, and they are hereby authorized to audit and allow the just claims of J. L. Mason, of Bentonsport, Iowa, for board and lodging furnished troops belonging to Capt. Farris' company, Col. Moore's regiment.

Mr. Bereman, by leave, introduced the following resolutions, which were laid over under the rule:

*Resolved,* That His Excellency, Gov. Wm. M. Stone, be respectfully requested to furnish to this House, in answer to the following interrogatories, such information as he may possess, or the records and correspondence in his office may show, touching the subject, to-wit:

1st. How many, and which, if any, of the four Railroads in this State, beneficiaries of the Land Grant, made to this State by act of Congress of the 15th of May, 1856, have complied with the conditions of that grant, and the grant made by this State to them; and in what respect and to what extent have they failed?

2d. How much of the lands so granted have been certified to, or sold by said roads, to which they may become entitled by any conveyance with said act, and in what part of the State, on each respective road, has such land been taken?

3d. Have any selections of lands been made in behalf of any of these Roads lying outside of the six miles on either side of either of these roads, and by what agent or authority, was such, if any, selected?

4th. Have either, or which, if any, of these Roads, ever demanded, charged for, or received any compensation from the State of Iowa or the United States, on account of any transportation of troops or property of the United States?

5th. Which of these Roads claim title to any of the lands embraced in the Des Moines River Improvement Grant, lying above the Raccoon Fork of the Des Moines, and what correspondence, if any, has been had by the Executive Office with said Railroads in relation to such claim?

6th. Have such Roads ever offered to relinquish any pretended



claim on said Des Moines River lands, and if so, on what terms, and what do they claim and demand; also, whether the Dubuque and Sioux City Railroad Company in the recent sales by that Company of lands in Webster and Pochahontas counties did execute deeds of release to the State of Iowa, of lands improved and occupied by actual settlers, as required by the provisions of the act of the Ninth General Assembly, approved April 7th, 1862?

7th. What information, if any, in the Executive Office that the Burlington and Missouri River Railroad is litigating the title of citizens to large tracts of land in the western part of the State, or that any other of the four Roads are litigating, or threatening to litigate the title of any citizens of this State who have acquired a title in good faith from the State or counties in the State, or what steps, if any, can be, or are necessary, to protect the people against railroad Monopolies?

The hour for the special order having arrived, the House resolved itself into Committee of the Whole. Mr. Moir in the Chair.

Committee rose and reported that House File No. 27 was taken up and read. Mr. Paulk moved that the bill be referred to Committee on Agriculture. Carried.

Mr. Baylies called up his resolution relating to conflicting claims to lands, which, on motion, was adopted.

Mr. McCormick called up resolution relating to the claims of the 1st Iowa Cavalry, which was read and adopted.

Mr. Magill called up his resolution relating to amounts paid northern and southern border Brigades.

On motion, the resolution was adopted.

#### INTRODUCTION OF BILLS.

Mr. Smith introduced House File No. 41, "A bill for an Act to amend Sec. 2193, of the Revision of 1860." Read a first and second time.

Mr. Thompson moved to lay the bill on the table. Motion lost.

Mr. Finkbine moved that it be referred to Committee on Agriculture. Motion prevailed.

Mr. Moir introduced House File No. 42, "A bill for an Act entitled an act to amend sections 4779 and 4780 of the Revision of 1860, relating to peremptory challenges in criminal cases." Read a first and second time, and referred to Committee on Judiciary.

Mr. Sturgis introduced House File No. 43, "A bill for an Act entitled an Act to separate the office of Recorder from that of Treasurer, and to make the County Judge the Recorder of Deeds." Read a first and second time, and, on motion, laid on the table and ordered to be printed.

#### RESOLUTIONS.

Mr. Finkbine introduced the following Resolution:

*Resolved*, That the committee on Ways and Means be instructed to inquire into, and report to this House, what legislation is necessary to provide for taxation for State, County and City purposes, of the road bed, track, rolling stock, and buildings of railroads. Adopted.

Mr. Stiles introduced the following resolution, which was laid over under the rule :

WHEREAS, There has been presented to this House several petitions, and also a bill, for an act to make an allowance of certain sums for mileage and to defray the traveling expenses of District Judges now in office ; and

WHEREAS, There are doubts entertained as to the constitutional right of the General Assembly, under section 9 of article 5, of the Constitution of this State, to pass such an act ; therefore, be it

*Resolved*, That the Attorney General of the State be, and he is hereby requested, to deliver to this House, in writing, his opinion with regard thereto, and that he be notified of the passage of this resolution by the Clerk of the House delivering to him a copy of the same.

Mr. Johnson introduced the following Joint Resolution, which was adopted :

*Resolved by the General Assembly of the State of Iowa*, That our delegation in Congress be respectfully requested to procure the adoption of such measures as may be necessary for extinguishing the title of rebel land owners to lands in this State, and to so provide that the said lands shall be open to purchase and settlement at the earliest day possible.

*Resolved*, That a copy of this resolution be sent to each of our Senators and Representatives in Congress.

Mr. Richards introduced the following resolution, which was laid over under the rule :

WHEREAS, His Excellency Wm. M. Stone, in his inaugural address to the General Assembly, stated that "where that majority" (meaning a majority of the Board of Supervisors of different counties) "is with the opposite party, they have persistently refused to appropriate a single dollar to this humane and christian purpose" (meaning the relief of the families of soldiers); and

WHEREAS, His Excellency recommends important legislation to remedy the existing evil; therefore

*Resolved*, That his Excellency be requested to furnish further information to this House of the facts on which he founded the forgoing statements, and the names of the counties whose Boards of Supervisors have neglected or refused to provide relief for the families of soldiers.

Mr. Davis introduced the following resolution :

*Resolved*, That the messengers, firemen and paper folders of this House be allowed five daily papers, or their equivalent in weeklies,

each, and one dollar per week in postage stamps, in addition to their per diem, and such allowance shall date from the 11th day of January, 1864.

Mr. Paulk moved that the resolution be laid upon the table, on which question the yeas and nays were demanded and ordered, resulting as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Olose, Clark, Day, Darby, Dorr, Elliott, Fry, Fuller, Garrett, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Joy, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, McMaken, McCormick, McKnight, Nelson, Russell of Jones, Russell of Washington, Richards, Runyan, Oliver, O'Brien, Paulk, Pritchard, Potter, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Van Sandt, Vinton, Wolf, White and Mr. Speaker—70.

Those gentlemen voting nay were, Messrs. Bromley, Davis, Finkbine, Galland, Jeffries, Moir, McNutt, Parker, Swett, Thompson and Weare—11.

Absent or not voting—Messrs. Christoph, Fenn, Johnson, King, Lindley, Mills, McCall, Perry, Sears and Van Sandt.

The resolution was laid on the table.

Mr. Fenn asked for leave of absence for Mr. Lindley, which was granted.

Mr. Fry offered the following resolution, which was referred to committee on Judiciary:

*Resolved*, That the committee on Judiciary be instructed to examine and see if the oath prescribed by law to be administered to challenged electors, can be so amended as to compel such persons as claim to vote by naturalization papers, to give the name name of the State and County where such papers have been issued, to become a matter of record.

Mr. Littler offered the following resolution:

**WHEREAS**, During the first week of the present session of the General Assembly, a resolution was passed by this House, providing that in addition to sending the letters of members through the mails at the expense of the State, there be appropriated to each member the sum of three dollars per week to pay their postage on papers and documents mailed to their constituents; and

**WHEREAS**, Said appropriations in the aggregate will amount during the present session to nearly double that of the last General Assembly, on about the same amount of mail matter, therefore,

*Resolved*, That said resolution be rescinded, and the Chief Clerk of this House be empowered to arrange with the Post Master of this city for the payment of postage at the expense of the State, on all

letters, papers and documents sent through the mails by members of this House to their constituents.

On a motion to indefinitely postpone the resolution, the yeas and nays were demanded and ordered, resulting as follows :

Those Gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Burke, Brown, Carey, Cort, Clark, Day, Davis, Fry, Fuller, Finkbine, Galland, Glendenning, Green, Hale, Hildreth, Hixon, Helm, Hurst, Holdridge, Joy, Johnson, King, Knox, Lathrop, Logan, Lindsey, Lyons, Magill, Maxwell, Meissner, Mills, Munsell, Nelson, Russell of Jones, Oliver O'Brien, Parker, Perry, Pritchard, Potter, Sanderson, Sturgis, Stiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, White, and Mr. Speaker—53.

Those gentlemen voting nay were, Messrs. Bereman, Bell, Buckingham, Baylies, Campbell, Carbee, Close, Darby, Dorr, Elliott, Fenn, Garrett, Gose, Gilchrist, Horton, Jeffries, Latham, Littler, Merriam, Moir, McMaken, McNutt, McCormick, McNight, Russell of Washington, Richards, Runyan, Paulk, Simpson, Stanton, Smith, Skiles, and Wolf—36.

Absent or not voting, Messrs. Christoph, Lindley, McCall, and Sears.

The resolution was indefinitely postponed.

On motion, House adjourned.

Two o'clock, P. M.

Mr. Parker offered the following joint resolution :

*Resolved, by the General Assembly of the State of Iowa, That the Secretary of State be instructed to furnish the members of the present General Assembly, the President, Secretary, and Clerks of the Senate, the Clerks of the House of Representatives, and the Reporters, Post Masters and Sergeant at Arms of both branches of this General Assembly, with a copy of all reports of the Supreme Court of this State now on hand, or which shall be published during the Session of this General Assembly.*

Mr. Baylies moved to refer to committee on Printing. Lost.

On the question, " Shall the resolution be adopted ? " the yeas and nays were demanded and ordered, resulting as follows :

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Burke, Brown, Carbee, Christoph, Close, Davis, Dorr, Elliott, Fenn, Fuller, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, Lathrop, Logan,

Lindsay, Maxwell, Mills, Moir, McCormick, Nelson, Russell of Jones, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Sturgis, Stiles, Van Sandt, Vinton, Weare, Wolf, White, and Mr. Speaker—53.

Those gentlemen voting nay were, Messrs. Bell, Buckham, Baylies, Carey, Campbell, Cort, Clark, Day, Darby, Fry, Finkbine, Garrett, Horton, Knox, Latham, Littler, Lyons, Merriam, Magill, Meissner, Munsell, McMaken, McNutt, McKnight, Russell of Washington, Richards, Runyan, Simpson, Stanton, Smith, Skiles, Spurrier, Sweet, and Thompson—34.

Absent or not voting, Messrs. King, Lindley, McCall, Sanderson, and Sears.

The resolution was adopted.

Mr. Lathrop moved to reconsider the vote, by which House File No. 26, "A bill for an Act concerning offences against Public Health," was lost. Carried.

Mr. Galland moved to reconsider the vote by which the bill was passed to its third reading. Carried.

#### INTRODUCTION OF BILLS.

Mr. Bereman introduced House File No. 44, "A bill for an Act to resume certain lands and to repeal certain acts." Laid on the table and ordered to be printed.

#### MESSAGES AND COMMUNICATIONS.

The following message was received from the Senate at the hands of its Secretary:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has concurred in the following concurrent Resolution, with the following amendment:

*"Resolved by the House of Representatives, the Senate concurring, That we earnestly recommend that discharged soldiers, who have been disabled by wounds or disease in the service of their country, should have the preference, as far as they are competent, in being employed in all the positions within the gift of the Federal and State Government."*

Amended by adding the following:

*"Resolved, That the Secretary of State furnish each member of Congress from this State with a copy of this Resolution, and that he also send a copy to each of the heads of Departments at Washington."*

Also, That that the Senate has concurred in the following concurrent Resolution passed by the House:

*Resolved, by the House of Representatives, the Senate concurring, That the Colonels of the Iowa Regiments engaged in the service of their country, be respectfully requested to furnish the Adjutant Gen-*

eral of the State, at their earliest convenience, with a brief history of their respective regiments, showing what they have accomplished and endured, not only upon the battle-field, but upon the march and in camp, with a view that the information thus obtained may hereafter be embodied into a permanent history and monument of their patriotism, the heroism and the achievements of the soldiers of Iowa.

*Resolved, further,* That the Adjutant General be requested to communicate the above Resolution to the Colonels of their respective Regiments.

Also, that the Senate has concurred in the amendment made by the House of Representatives to Senate File No. 3, a Joint Resolution asking Congress to increase the pay of all non-commission officers and privates in the service of the United States.

Also that the Senate has passed the following bills, in which the concurrence of the House is respectfully asked, to wit:

A substitute for Senate File No. 38, entitled "A bill for an Act fixing the time of holding Courts in the Sixth Judicial District."

Substitute for Senate File No. 49, "A bill for an Act changing the rate of interest on warrants on the State Treasurer.

Senate File No. 76, "A Joint Resolution of instructions to our Senators and Representatives in Congress in relation to pensions of widows of Chaplains in the Army."

And Senate File No. 84, "A bill for an Act to authorize the State Treasurer to procure a Sate for his office, and to dispose of the old one."

Also, that the Senate has concurred in the following concurrent Resolution of the House of Representatives:

*Resolved, by the House of Representatives, the Senate concurring,* That there be a committee of two members appointed upon the part of the House, and one member on the part of the Senate, to visit the Lunatic Asylum at Mt. Pleasant, Iowa, and examine into its condition and wants, and report by the 10th day of February next.

WM. F. DAVIS,

Secretary of the Senate.

A communication was received from the Clerk of the Supreme Court, and read, and referred to committee on Judiciary:

*To the Hon. Jacob Butler,*

*Speaker of the House of Representatives:*

In response to the following Resolution passed by the House of Representatives on the 21st day of January, 1864, to wit:

*"Resolved,* That the Clerk of the Supreme Court be instructed to furnish to this House, at as early a day as practicable, with the number of causes heard and determined by said Court since December 1st, 1861, and the number of cases yet remaining on the docket of said Court undetermined,"

I have the honor to submit the following statement:

The whole number of causes submitted during the years 1861, '62 and '63, were one thousand and eight (1008).

The number of causes determined during those years were twelve hundred and forty (1240). Of these, two hundred and three (203) were affirmed on motion simply, and in many others (the precise number I cannot state), the judgments were affirmed without filing any opinion. The language of the Court being affirmed, no opinion necessary.

There are now pending, undisposed of, one hundred and sixty-four cases, of which very many are large transcripts, and submitted on elaborate oral and printed arguments.

All of which is respectfully submitted.

LEW. KINSEY, Clerk.

A communication was received from the Auditor of State in reference to judgment against Jas. D. Eads, read, and, on motion, laid on the table and ordered to be printed.

The following communication was received from the State Treasurer, which was read, and on motion of Mr. Russell, of Washington, was laid on the table and ordered to be printed.

*Hon. Jacob Butler, Speaker of the House of Representatives :*

I have the honor to acknowledge the receipt of a resolution passed by the House of Representatives on the 22d inst., asking for the amount and kind of funds in the Treasury, and also, for a statement of the amount of Gold and Demand Notes payed into the Treasury since the passage of Chapter 17, Laws of the Ninth General Assembly, and what disposition has been made of the same.

The information called for in the latter part of the resolution, it is impossible for me to give, as there is nothing in this office to show in what *funds* payments to the Treasury have been made, nor how such funds have been disposed of. I can only state the amount of Gold received during my term of office, the amount paid out and the ballance on hand. I am not able to state the exact amount received of my predecessor, as I took no account of it at the time, but it was about twenty thousand dollars. I have received from County Treasurers, three thousand twenty-nine and 73-100 dollars. I have paid out in Gold as follows: To F. M. Mills, on a contract for paper on which to print the Adjutant General's Report, (which contract was made prior to my coming into office,) one thousand three hundred and twenty-two dollars. To C. P. Holmes, to make up a deficit in salary as Deputy Treasurer, twenty dollars. To Gov. Kirkwood, (there being no small bills on hand,) one dollar.

Total, one thousand three hundred and forty-three dollars.

A small amount of silver was paid out in the first month of 1863, in making change, none otherwise.

Amount of Gold on hand,.....	\$22,257 73
" Silver on hand,.....	167 37
" Treasury Notes,.....	9,222 00
" Postal Currency,.....	86 25

No Demand Notes have been received by me from my predecessor or other sources.

Of the notes of the State Bank of Iowa, there are none on hand, except one counterfeit five dollar note on the Oskaloosa Branch.

We have received but a small amount of such funds during the past year.

In this connection, it might be proper to state why the Gold has been kept on hand. I did not feel authorized to pay it out on Auditor's Warrants; neither did I feel authorized to sell it for the benefit of the State, and not knowing what the future wants of the State might be, I determined to hold it until the Legislature should take some action upon the subject, or some future exigency should require its use.

Respectfully submitted,

WM. H. HOLMES, State Treasurer.

Two memorials were received from the Board of Control of the Iowa Sanitary Commission, which were read and referred to committee on Sanitary Affairs.

A memorial was received from Board of Control, and referred to committee on Military Affairs.

Mr. Galland moved to reconsider the vote taken to print the communications from State Treasurer. Carried.

Mr. Russell, of Jones, moved that the communication be referred to committee on Public Expenditures, with instructions to make such further inquiries as they may deem necessary. Carried.

Mr. Bereman, by leave, introduced the following resolution, which was referred to committee on Sanitary Affairs.

*Resolved*, That the committee on Sanitary Affairs be requested to prepare for the use of this House a detailed estimate of the amount of money necessary to pay expenses of the Board of Control, and salaries and expenses of Sanitary Agents appointed by this State.

The Senate Joint Resolution, relative to the preservation of printed bills, was taken up, read, and, on motion, concurred in.

Senate File No. 1, "A bill for an act to repeal Chap. 17, of the Extra Session of the Ninth General Assembly, entitled an Act to provide for the protection of the southern border of the State," was taken up, read, and referred to committee on Military Affairs.

Senate File No. 56, "A bill for an Act to abolish the office of Surgeon-General of the State of Iowa," was taken up, read, and referred to committee on Military Affairs.

The Senate's amendment to the House resolution, relating to dis-



abled soldiers, giving them the preference for official positions in the gift of the National and State authorities, was, on motion, concurred in.

The Speaker named as committee on the part of the House to visit the Insane Asylum, Messrs. Hurst and Stiles.

Senate File, No. 5, "A bill for an Act to provide for the payment of taxes," &c., was taken up, with the majority and minority reports of the committee on Banks and Banking.

Mr. Stiles moved that the minority report, with amendments which he offered, be adopted.

Mr. Bereman moved to substitute the minority report of Special Committee, for majority report.

On motion of Mr. Stiles, the further consideration of the bill was made the special order for to-morrow at ten o'clock.

Mr. McMaken moved that the use of this Hall be granted to the Farmers' Club, on Tuesday evening. Carried.

On motion, House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
TUESDAY, January 26th, 1864. }

House met pursuant to adjournment.

Prayer by the Rev. Thompson Bird.

Journal of yesterday read and approved.

The following Message was received from the Senate:

MR. SPEAKER:—I am directed to inform the House that the Senate has adopted the resolution of the House, providing for the appointment of a committee to visit the Agricultural College Farm in Story county, with the following amendment: substitute "two" for three on the part House, and "one" for two on the part of the Senate—in all of which the concurrence of the House asked.

WM. F. DAVIS, Secretary of Senate.

Mr. Maxwell moved to concur in the Senate amendments to the joint resolution just reported back from that body. Carried.

The House proceeded to the consideration of special order, Senate File No. 5, "A bill for an Act to provide for the payment of taxes, &c.

On motion of Mr. Bruce, Mr. McMakin was granted leave of absence.

On motion the House adjourned.

Two o'clock P. M.

The consideration of Senate File, No. 5, was resumed.

Mr. Russell, of Jones, moved the previous question, which was seconded. On the question, "Shall the main question be now put?" the yeas and nays were demanded, and ordered, resulting as follows:

Those gentlemen voting yea were, Messrs. Bereman, Bruce, Bromley, Bell, Buckham, Burke, Brown, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fuller, Fry, Garrett, Galland, Green, Gose, Hildreth, Hixon, Horton, Hurst, Holdridge, Jeffries, Johnson, King, Knox, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, McKnight, Nelson, Russell of Jones, Oliver, Perry, Pritchard, Potter, Sanderson, Sears, Simpson, Sturgis, Stiles, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—63.

Those gentlemen voting nay were, Messrs. Andrews of Keokuk, Andrews of Decatur, Baylies, Carey, Cort, Elliott, Finkbine, Glendenning, Gilchrist, Hale, Helm, Joy, Latham, Littler, Moir, McNutt, McCormick, Russell of Washington, Richards, O'Brien, Parker, Paulk, Stanton and White—24.

Absent or not voting—Messrs. Christoph, Mills, McMaken, McCall and Runyan.

The question prevailed.

On the question, "Shall the minority report be substituted for the majority report?" the yeas and nays were demanded, and ordered, resulting as follows:

Those gentlemen voting yea were Messrs. Bereman, Bruce, Bromley, Bell, Buckham, Burke, Brown, Campbell, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fry, Garrett, Galland, Glendenning, Green, Gose, Horton, Hurst, Holdridge, Jeffries, Johnson, King, Knox, Latham, Lindley, Lindsey, Lyons, Merriam, Maxwell, Meissner, Munsell, McCormick, McKnight, Nelson, Russell of Jones, Russell of Washington, Runyan, Oliver, Perry, Pritchard, Potter, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Spurrier, Thompson, Van Sandt, Vinton, Weare and Wolf—58.

Those gentlemen voting nay were, Messrs. Andrews of Keokuk, Andrews of Decatur, Baylies, Carey, Carbee, Cort, Elliott, Fuller, Finkbine, Gilchrist, Hale, Hildreth, Hixon, Helm, Joy, Lathrop, Logan, Littler, Magill, Mills, Moir, Richards, O'Brien, Parker, Paulk, Sears, Skiles, Sweet, White, and Mr. Speaker—30.

Absent or not voting—Messrs. Christoph, McMaken, McNutt and McCall.

The motion prevailed.

Mr. Boreman moved that the bill be engrossed and read a third time to-morrow. Carried.

## PETITIONS AND MEMORIALS.

Mr. Finkbine presented the petition of F. Weeber and other citizens of Johnson Co., praying for a bounty of \$5 on wolf scalps. Referred to committee on Agriculture.

Mr. Merriam presented a petition from the Mayor and Aldermen of the city of Keokuk, praying for the repeal of the Liquor Law, and the enactment of a License Law. Referred to committee on Suppression of Intemperance.

Mr. Lindley presented the petition of Wm. M. White and others, of Warren county, praying for an amendment of the School Law. Referred to committee on Schools and Universities.

Mr. Sears presented the petition of Richard Cuning and others of Poweshiek county, praying for a change in the management of county matters. Referred to committee on County and Township Organizations.

Mr. Parker presented the bill of Mr. Guelich, for translating the Governor's Message, and the Inaugural of Gov. Stone, into German. Referred to committee on Ways and Means.

## REPORTS OF COMMITTEES.

The committee on Military Affairs reported back Senate File No. 56, "A bill for an Act to abolish the office of Surgeon General," and recommended its passage.

The committee on Police Regulations, to whom was referred House File No. 31, "A bill for an Act to prohibit profanity and obscenity," reported the same back to the House, and recommended that the bill be indefinitely postponed.

## RESOLUTIONS LAID OVER.

Mr. Stiles called up his resolution asking the Attorney General for his opinion on certain matters, which, on motion, was adopted.

Mr. Bereman called up his resolution making certain inquiries of the Governor relative to railroad companies of this State, and, on motion, the resolution was adopted.

Mr. Richards called up his resolution of inquiry with regard to statements of Governor Stone respecting the action of Boards of Supervisors making appropriations for the relief of soldiers' families, &c.

Mr. Bell moved the following amendment :

Strike out all after the word assembly, in third line, and insert, "Has recommended important legislation by this Assembly, to provide for the families of our soldiers in the field." Therefore

*Resolved*, That it is the opinion of this House, that such legislation should relieve the said families from the disgrace of having to make application for relief under the guise of pauperism.

Mr. Russell, of Washington, offered as a substitute, the following resolution :

*Resolved*, That his Excellency, Wm. M. Stone, is hereby requested to furnish this House with any information in his possession, (official or otherwise,) touching the fidelity and efficiency of the County Supervisors, as an agent for supplying with necessaries the wives and families of our brave soldiers.

Mr. Andrews, of Keokuk, moved to lay the Resolution on the table.

On the question, "Shall the resolution be laid on the table?" the yeas and nays were demanded, ordered, resulting as follows :

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Bell, Baylies, Knox and Parker—5.

Those gentlemen voting nay were, Messrs. Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Finkbine, Garret, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Maxwell, Meisner, Mills, Munsell, Moir, McNutt, McCormick, McKnight, Nelson, Russell of Jones, Russell of Washington, Richards, Runyan, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—79.

Absent or not voting—Messrs. Burke, Christoph, Fuller, Magill, McMaken, McCall, Sears and Thompson.

The motion to lay on the table did not prevail.

The substitute of Mr. Russell was then adopted.

The following Message was received from the Senate :

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has proposed the following amendments to the joint resolution of the House of Representatives, relating to the appointment of a committee on the subject of a bill for the relief of families of soldiers :

Substitute for "three members on the part of the Senate," "five" members on the part of the Senate.

That the Senate has passed House File No. 14, "A bill for an Act to legalize the acts of the Board of Supervisors of Johnson county.

Also, that the Senate has concurred in the resolution of the House of Representatives, complimentary to our soldiers in the field.

The Senate has also concurred in the House resolution, appointing a committee to visit the Iowa State Penitentiary.

Also, that the Senate has passed the following concurrent resolution, in which the concurrence of the House is respectfully asked :

*Resolved, by the Senate, the House of Representatives concurring,*

That the State Printer be and he is hereby required to furnish the State Binder with 250 copies of all documents in pamphlet form printed at this Session, for the use of the House and Senate of the General Assembly, provided the same can be had without republication, who shall cause the same to be bound in one volume with leather backs and tips and pastboard sides, and that one copy shall be delivered to each member and officer of this General Assembly, ten copies to the State Library, and the remainder deposited in the Office of Secretary of State; provided, however, that the cost of binding shall not exceed fifty cents per copy.

And also a substitute for Senate File No. 21, "A bill for an Act to provide for taking depositions to be used in County Courts," has been passed by the Senate.

Also, Senate File No. 92, a joint resolution appointing Trustees of the Hospital for the Insane.

In all of which the concurrence of the House is respectfully asked.

W. F. DAVIS, Secretary of Senate.

The Chair announced the committee on the part of the House, to visit the Penitentiary, as Messrs. Finkbine and Brown. And as the committee to visit the Agricultural Farms—Messrs. Russell of Jones, and Paulk.

#### INTRODUCTION OF BILLS.

Mr. Hale introduced House File No. 45, "A bill for an Act to extend the Jurisdiction of County Courts in Civil and Criminal Cases, and other purposes." Read a first and second time, and, on motion, laid on the table and ordered printed.

Mr. Cort introduced House File No. 46, "A bill for an Act fixing the rate of interest on School Fund." Read a first and second time, and referred to committee on Schools and Universities.

Mr. Bromley introduced House File No. 47, "A bill for an Act granting a right of way to open and drain coal mines." Read first and second time, and referred to special committee of five.

#### RESOLUTIONS.

Mr. Hildreth introduced the following joint resolution :

*Resolved by the House of Representatives, the Senate concurring,* That a joint committee, consisting of two from the House and one from the Senate, be appointed to visit the State University and the Deaf and Dumb Asylum at Iowa City, and examine into their condition and necessities, and report the same to this General Assembly.

Adopted.

The following communication was received from the Adjutant General. Read and referred to committee on Military Affairs :

STATE OF IOWA,  
ADJUTANT GENERAL'S OFFICE, Jan. 26th, 1864. }

*To the Hon. Jacob Butler, Speaker of the House of Representatives of the State of Iowa :*

SIR:—I have the honor to acknowledge the receipt of copy of resolution of the House of Representatives, as follows :

*“Resolved, That the Adjutant General be directed to report to this House the amounts paid to the Northern and Southern Border Brigades, or for any expenses connected therewith.”*

I have the honor to say, that I can only state with certainty what has been paid said Brigades through the Paymaster's Department of this State.

SOUTHERN BORDER BRIGADE.

Paid by N. B. Baker, Adj. General, acting as Paymaster General.....	\$ 333 48
This amount was paid between April 26th, 1862, and Oct. 6, 1862.	
Paid by Lt. Col. P. E. Hall, A. A. G., and acting as Paymaster General, Oct. 6th, 1862, to Jan. 1, '63,.....	\$ 773 72
Paid by same, Jan. 1, 1863, to June 13, '63.....	17,770 22
Paid by Lt. Col. M. M. Trumbull, A. A. G., &c., June 13, to Oct. 3d, 1863 .....	10,910 58
Paid by Lt. Col. J. C. Culbertson, A. A. G., &c., Oct. 5th, 1863, to Jan. 11, '64.....	5,711 20

Total paid to the Southern Border Brigade by  
Paymaster's Department.....\$35,499 15

NORTHERN BORDER BRIGADE.

Paid by Lt. Col. P. E. Hall, A. A. G., and acting as Paymaster Genl., Oct. 6th, 1862, to Jan. 1, 1863.....	\$ 3,849 18
Paid by same, Jan. 1, 1863, to June 13th, 1863.....	34,502 94
Paid by Lt. Col. M. M. Trumbull, A. A. G., acting as Paymaster General, June 13, 1863, to Oct. 3, 1863 .....	2,193 40
Paid by Lt. Col. J. C. Culbertson, A. A. G., and acting Paymaster General, Oct. 5th, 1863, to Jan. 11, '64.....	29,175 58

Total paid the Northern Border Brigade by  
Paymaster's Department, from October 6,  
'62, to Jan. 11th, 1864.....\$69,721 10

Besides the above amounts, troops were paid on the North-Western Border the following sums :

By Lt. Col. Hiram Price, Paymaster General.....	\$16,867 96
By N. B. Baker, A. G., and acting as Paymaster Genl..	64 00
In Quartermaster's Department, there has been paid for the collection, repair and care of arms, &c., on the Southern Border.....	\$ 1,272 87

There were other expenses of the Northern Border and Southern Border Brigades, but the bills therefor did not pass through this Department.

With great respect, truly yours,

N. B. BAKER,  
*Adjt. Genl. of Iowa.*

The Speaker announced the special committee on House File No. 47: Messrs. Bromley, Christoph, Jeffries, Knox and Latham.

On motion, House adjourned until 10 o'clock to-morrow morning.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
WEDNESDAY, January 27th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Thompson Bird.

Journal of yesterday read and approved.

#### REPORTS OF COMMITTEES.

The committee on Agriculture, to whom was referred House File No. 41, "A bill for an Act to amend Sec. 2193, of the Revision of 1860," have had the same under consideration, and have instructed me to report it back to the House, and to state that their views on said House File No. 41 are embodied in their report on House File No. 6. All of which is respectfully submitted.

H. M. THOMPSON, Chairman.

The committee on Mileage presented a report.

Mr. Sears moved to recommit the report, with instructions, to report in accordance with the constitution. Carried.

#### PETITIONS.

Mr. Sears, by leave, presented the petition of Alanson Jones and others, citizens of Poweshiek county, praying for a change in the management of county business, &c. Referred to committee on Township and County Organizations.

Mr. Close presented the petition of Otis G. Day and other citizens of Black Hawk and Benton counties, praying for a registration law for the State. Referred to committee on Elections.

#### INTRODUCTION OF BILLS.

Mr. Pritchard introduced House File No. 48, "A bill for an Act

entitled an act to authorize the State Treasurer to sell the gold now in the State Treasury." Read a first and second time, and referred to committee on Ways and Means.

Mr. Magill introduced House File No. 49, "A bill for an Act authorizing and requiring the sale or exchange of specie now in the State Treasury, for legal tender notes of the United States." Read a first and second time, and referred to committee on Ways and Means.

Mr. Stiles introduced House File No. 50, "A bill for an Act to amend Sec. 1, of Chap. 150, of the act of the Ninth General Assembly." Read a first and second time, and referred to committee on Judiciary.

Mr. Sanderson introduced House File No. 51, "A bill for an Act to provide for the appointment of a Commissioner of Emigration." Read a first and second time, and, on motion, referred to a select committee of five.

Mr. Galland introduced House File No. 52, "A bill for an Act supplemental to an act entitled 'An Act for the benefit of Railroad Companies.'" Read a first and second time, and referred to committee on Railroads.

Mr. Merriam introduced House File No. 53, "A bill for an Act to provide for the appointment of commissioners to settle with certain sureties of James D. Eads, late Superintendent of Public Instruction, and conferring certain other powers upon said Commissioners." Read a first and second time, and referred to committee on Schools and Universities.

Mr. Magill introduced House File No. 54, "A bill for an Act to legalize the acts of certain Municipal Corporations in certain cases." Read a first and second time, and referred to committee on Judiciary.

The Speaker announced as the Select Committee on House File No. 57, Messrs. Sanderson, McNutt, Hixson, Cort and Helm.

Mr. Hale introduced House File No. 55, "A bill for an Act to amend the law in reference to the sale of Intoxicating Liquors." Read a first and second time, and referred to committee on Intemperance.

#### RESOLUTIONS.

Mr. Baylies offered the following resolution :

WHEREAS, Abraham Lincoln has proven himself at the Helm of State a safe pilot, a wise statesman, a true patriot, and the right man in the right place ; has, by his life and character, afforded the highest evidence of the wisdom of the Republican principle that merit, not wealth and birth, shall be the passport to popular favor ; and by his re-election will establish the fixed determination of the people that their will, constitutionally expressed, *shall be obeyed* ; and believing that it is proper, and that the time has arrived, when a



legislative expression of the feelings of the people of Iowa, upon the subject, should be given :

*Resolved, therefore,* That the committee on Federal Relations be requested to report upon, and back to the House without delay, the resolution introduced by Mr. Johnson, of Clark, and some days since referred to said committee.

Mr. Finkbine moved to refer the resolution to the Convention to meet here on the 22d of February.

After debate, the previous question was moved and seconded.

On the question, "Shall the main question be put?" the yeas and nays were demanded and ordered, resulting as follows :

Those gentlemen voting yea were, Messrs. Bereman, Bruce, Bell, Buckham, Baylies, Burke, Brown, Campbell, Carbee, Cort, Christoph, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Garrett, Galland, Green, Gose, Gilchrist, Hixon, Helm, Hurst, Jeffreys, Joy, Johnson, King, Knox, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McNutt, McCormick, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Sanderson, Sears, Stiles, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—60.

Those gentlemen voting nay were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Carey, Close, Clark, Fry, Finkbine, Glendenning, Hale, Hildreth, Horton, Hurst, Holdridge, Latham, Littler, Lindley, Mills, McKnight, Russell of Washington, Richards, Runyan, Potter, Simpson, Sturgis, Stanton, Sweet, and Weare—28.

Absent or not voting, Messrs. McMaken, McCall, Russell of Jones, and Paulk.

The motion prevailed.

On the question, upon the motion of Mr. Finkbine to refer, the yeas and nays were demanded, and ordered, resulting as follows :

Those gentlemen voting yea were, Messrs. Bereman, Bruce, Bell, Buckham, Campbell, Carbee, Day, Dorr, Elliott, Feun, Fuller, Finkbine, Green, Gilchrist, Hurst, Jeffries, King, Knox, Latham, Lathrop, Lindley, Lyons, Magill, Maxwell, McCormick, Russell of Washington, Richards, O'Brien, Smith, Skiles, Spurrier, Thompson, Vinton and Weare—34.

Those gentlemen voting nay were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Baylies, Burke, Brown, Carey, Cort, Christoph, Close, Clark, Darby, Davis, Fry, Garrett, Galland, Glendenning, Gose, Hale, Hildreth, Hixon, Helm, Horton, Holdridge, Joy, Johnson, Logan, Littler, Lindsey, Merriam, Meissner, Mills, Munsell, Moir, McNutt, McKnight, Nelson, Runyan, Oliver, Parker, Perry, Pritchard, Potter, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Sweet, Van Sandt, Wolfe, White and Mr. Speaker—54.

Absent or not voting—Messrs. McMaken, McCall, Russell of Jones, and Paulk.

The motion did not prevail.

Mr. Moir offered the following amendment :

Strike out the words, "without delay," and insert the words, "at their earliest convenience," and at the close of said resolution, the following: "Or such other resolutions as they may propose for the consideration of this House."

MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your Honorable Body, that the Senate has adopted the accompanying concurrent resolution, providing for the appointment of a joint committee for the purpose of ascertaining the amount of mileage due each member:

*Resolved, by the Senate, the House concurring,* That a Joint Committee of two on the part of the Senate, and three on the part of the House, be appointed to examine and report to this General Assembly the amount of mileage due to, and the number of miles traveled by, each member of this General Assembly.

In which the concurrence of the House is respectfully asked.

W. F. DAVIS,  
Secretary of Senate.

On motion, House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

The business under consideration at the hour of adjournment was resumed.

On motion, the amendment of Mr. Moir was adopted.

The preamble and resolution, as amended, was then adopted.

Mr. Hale introduced the following resolution :

WHEREAS, Many of the old regiments from Iowa have re-enlisted as veterans for three years more, or during the war, and doubtless many others, and perhaps all, will so enlist, thus exhibiting an enduring patriotism and devotion to their country doubly worthy of the lasting gratitude of the American people; and

WHEREAS, Such unyielding determination to remain in the ranks until the last vestige of treason shall be blotted out, is deserving the highest and richest reward that can be bestowed by a free and prosperous people; therefore be it

*Resolved, by the House of Representatives of the State of Iowa, the Hon. Senate concurring,* That our Representatives in Congress be requested, and our Senators instructed, to secure, at the earliest possible day, the passage of a law granting to each of said soldiers,

and including line officers, only, 160 acres of land, either from the public and rich domain of the West, or of the lands of rebels confiscated by the Government, or that may hereafter be confiscated.

*Resolved. further*, That the Secretary of State be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

Mr. Stiles moved to amend by striking out the word "officers."

On motion of Mr. Oliver, the whole matter was referred to committee on Federal Relations.

Mr. Baylies offered the following resolution:

*Resolved*, That the committee on Military Affairs be instructed to enquire what changes, if any, can be made in the law relative to the taking of the army vote, for the purpose of procuring that vote with less expense, and more advantageously to the State, and report by bill or otherwise.

Referred to committee on Military Affairs.

#### MESSAGES AND COMMUNICATIONS.

The Senate amendments to the House joint resolution, relating to the appointment of a committee on the subject of a bill for the relief of families of soldiers, substituting for "three" members on the part of the Senate, "five members on the part of the Senate," were concurred in.

The Senate resolution relative to printing and binding copies of all documents in pamphlet form printed during this session, was taken up, read, and referred to committee on Printing.

Senate File No. 92, "A joint resolution appointing Trustees of the Hospital for the Insane," was taken up, and, on motion, was concurred in.

The Senate resolution relating to mileage was taken up, and, on motion, was concurred in. The present Mileage Committee of the House was requested to act in conjunction with Senate Committee.

#### BILLS ON SECOND READING.

House File No. 15, "A bill for an Act empowering Township Trustees to appoint certain Township Officers," was taken up and read.

Mr. Nelson moved that the bill be read a third time.

Mr. Baylies moved that the bill be recommitted to the committee on Judiciary. Carried.

House File No. 44, "A bill for an Act to resume certain lands, and to repeal certain acts," was taken up, read, and, on motion, referred to committee on Railroads.

Senate File No. 38, "A bill for an Act fixing the time for holding Courts in the 6th Judicial District," was taken up, read, and refer-

red to a special committee of the members of the 6th Judicial District.

House File No. 3, "A bill for an Act in relation to the collection of Taxes in Lee County," was taken up. The amendment offered by the committee, striking out section 4, was adopted.

Mr. Galland moved to suspend the rule, and that the bill be read a third time, and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Christoph, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hildreth, Hixon, Helm, Horton, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Perry, Potter, Russell of Washington, Richards, Runyan, Sanderson, Sears, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—83.

The gentleman voting nay was, Mr. Cort—1.

Absent or not voting—Messrs. Close, Hale, Holdridge, McKaiken, Russell of Jones, Paulk, Pritchard and Sturgis.

The bill passed, and title was agreed to.

House File No. 25, "A bill for an Act to legalize the appointment of members of the Board of Supervisors in certain cases, and to provide for the filling of vacancies in said Boards," was taken up, together with the substitute offered by the committee.

Mr. Sanderson moved to refer the whole matter to committee on Judiciary. Carried.

House File No. 16, "A bill for an Act to regulate mills and mill owners," was taken up, with the substitute reported by the committee on Agriculture.

On motion, the whole matter was recommitted to the committee on Agriculture.

House File No. 31, "A bill for an Act to prohibit profanity and obscenity," was taken up, and on motion of Mr. Lindsey, was re-committed to committee on Police Regulations.

House File No. 8, "A bill for an Act to provide for the printing and distribution of the Adjutant General's report for 1864," was taken up.

On motion, the bill was ordered to be read a third time, and put upon its passage. On the question, "shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk,

Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Davis, Darby, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McOall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Potter, Runyan, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—84.

Those gentlemen voting nay were, Messrs. Russell of Washington, Richards, and Simpson—8.

Absent or not voting, Messrs. Burke, Lindley, McMaken, Russell of Jones, and Paulk.

The bill was passed and title agreed to.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
THURSDAY, January 28th, 1864. }

House met pursuant to adjournment.

Prayer by the Rev. D. E. Jones.

Journal of yesterday read and approved.

Mr. Moir moved that the rule be suspended, and that the matters on the table, and other matters on the Clerk's desk, be taken up. Carried.

House File No. 33, "A bill for an Act entitled an Act to prevent fraud by weigh masters of public scales," was taken up.

Mr. Galland moved that the amendments reported by the committee be adopted. Carried.

Mr. Oliver moved that the bill be recommitted to committee on Judiciary. Carried.

House File No. 36, "A bill for an Act to provide for the publication of certain laws," was taken up.

Mr. Hildreth moved to refer to the committee on Printing.

Mr. Magill moved to amend by adding, "and instruct the committee to report the probable expense that would be involved in carrying out the provisions of the bill. Carried.

The Bill was then referred to committee on Printing.

Senate File No. 84, "A Bill for an Act to authorize the State Treasurer to procure a safe for his office, and to sell the old one," was taken up, read, and referred to committee on Ways and Means.

House File No. 39, "A bill for an act to provide relief for the families of Iowa Soldiers," was taken up and referred to Joint Committee of the House and Senate.

Senate File No. 56, "A bill for an Act to abolish the office of Surgeon General," was taken up and read.

Mr. Weare moved that the bill be read a third time and passed. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hixon, Helm, Horton, Hurst, Holridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Washington, Richards, Runyan, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—83.

The nays were, none.

Absent or not voting, Messrs. Christoph, Fuller, Gilchrist, Hildreth, Lindley, McMaken, McNutt, Russell of Jones, and Paulk.

The bill was passed and the title agreed to.

The Speaker announced as the House members of Joint Select Committee to prepare a bill for the relief of soldiers' families, Messrs. Holdridge, Mills, Skiles, Magill, and Carbee.

House File No. 6, "A bill for an Act to amend Section 2193, of the revision of 1860," with the substitute reported by committee on Agriculture, was taken up.

On motion, the report of the committee, recommending certain amendments, was adopted.

Mr. Weare moved to further amend by striking out the word "swift." Lost.

Mr. Maxwell moved that the bill be read a third time, and put upon its passage.

Mr. Oliver offered the following amendment:

Strike out Sec. 1, and insert—

Sec. 1. *Be it enacted by the General Assembly of the State of Iowa,* That Sec. 2193, of the revision of 1860, is hereby amended so as to read as follows:

Sec. 2193. The Board of Supervisors of each County in this State, shall, at their regular meeting in June of each year, determine and fix the bounties to be paid by their County on the scalps of such kind of wild animals killed within their County as they may deem it expedient to exterminate. *Provided*, however, the Board

of Supervisors may, at any subsequent regular meeting, increase or diminish such bounties.

On motion, House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Bell asked that the use of this Hall be granted for a lecture on the subject of Pacific Railroad, on to-morrow evening. Granted. The further consideration of House File No. 6, was resumed.

Mr. Moir moved that it be referred to a select committee of three, of which Mr. Oliver shall be Chairman. Carried.

The Chair appointed Messrs. Joy and Smith as the remainder of said committee.

#### MEMORIALS.

Mr. Merriam presented a memorial of the Keokuk, Fort Des Moines and Minnesota Railroad, which was referred to committee on Railroads.

#### BILLS ON SECOND READING.

House File No. 26, "A bill for an Act to amend Chap. 178, of the revision of 1860, concerning offences against public health, was taken up.

Mr. Hildreth moved to amend by inserting "spring wells, cisterns and reservoirs." Carried.

On motion, the bill was read a third time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Galand, Gose, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, McNutt, McCall, McCormick, Nelson, Oliver, Parker, Perry, Pritchard, Richards, Runyan, Sanderson, Sears, Simpson, Sturgis, Stanton, Skiles, Sweet, Thompson, Van Sandt, Vinton, Wear, Wolf, White and Mr. Speaker—71.

Those gentlemen voting nay were, Messrs. Bereman, Baylies,

Burke, Day, Fry, Glendenning, Green, Gilchrist, McKnight, Potter, Smith and Spurrier—12.

Absent or not voting, Messrs. Christoph, Jeffries, Moir, McKaiken, Russell of Jones, Russell of Washington, O'Brien, Paulk and Stiles.

The bill passed, and the title was agreed to.

Senate File No. 76, joint resolutions of instructions to our Senators and Representatives in Congress in relation to pensions to the widows of deceased chaplains in the army, was taken up, and, on motion, referred to committee on Military Affairs.

Substitute for Senate File No. 49, "A bill for an Act changing the rate of interest on warrants on the State Treasury," was taken up, and, on motion of Mr. Moir, referred to committee on Ways and Means.

House File No. 37, "A bill for an Act to restrain persons from carelessly driving or leading stock across bridges maintained at public charge," was taken up, with amendments reported by committee, and, on motion, was referred to committee on Roads and Highways.

#### REPORTS OF COMMITTEES.

The joint committee on Enrolled Bills beg leave to report that they have examined House File No. 14, and Senate File No. 8, and find the same correctly enrolled, and present them for your signature.

A. RUNYAN, Chairman.

The committee on Engrossed Bills, to whom was referred the following bills, to wit: Senate File No. 5, entitled "An Act to provide for the payment of taxes in Treasury notes issued as legal tender, &c.," and House File No. 3, entitled "An Act in relation to collection of taxes in Lee county," hereby report that they have examined the same, and believe that they are correctly engrossed.

D. D. HOLDRIDGE, Chairman.

Senate File No. 5, "A bill for an Act to provide for the payment of taxes and the interest and principal of the School Fund in Treasury notes and notes of National Banks," was taken up, read a third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hixon, Helm, Horton, Harst, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop,



Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McCall, McCormick, Nelson, Russell of Washington, Richards, Runyan, Oliver, Parker, Perry, Pritchard, Potter, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—80.

Those gentlemen voting nay were, Messrs. Gilchrist, Hildreth, —2.

Absent or not voting, Messrs. Burke, Christoph, Jeffries, McMaken, McNutt, McKnight, Russell of Jones, O'Brien, Paulk, and Stiles.

The bill was passed and title agreed to.

#### PETITIONS.

Mr. Simpson presented a petition of J. Moor, Lewis J. Mason, and others, praying to be allowed for subsistence for soldiers on the Southern Border, &c., &c.

Referred to committee on Claims.

Mr. Simpson presented a bill of J. D. Davis for putting flag staff on State House.

Referred to committee on Claims.

Mr. Mills presented a petition of the Board of Supervisors of Keokuk County, relating to land scrip issued to counties instead of swamp lands, &c.

Referred to committee on Public Lands.

Mr. Mills presented a resolution of the Board of Supervisors of Keokuk County, relative to instructing the Senators and Representatives to use their influence to secure legislation calculated to encourage manufactories in this State.

Referred to committee on Domestic Manufactures.

Mr. Littler presented a bill of J. Ellis Guild, fireman of the House.

Referred to committee on Claims.

Mr. Darby presented a petition of Benj. McCarty and other citizens of Madison Co., praying for a change in the manner of doing county business.

Referred to committee on County and Township Organizations.

Mr. Darby presented the petition of B. McCarty and others, citizens of Madison Co., praying for a change in the manner of assessment, doing away with township assessments.

Referred to committee on County and Township Organizations.

Mr. Logan presented a petition of H. M. Chase, and other citizens of Webster Co., praying for an act whereby said citizens may be enabled to perfect title to lands known as river lands, &c.

Referred to committee on R. Roads.

#### REPORTS OF COMMITTEES.

The committee on Judiciary, to whom was referred House File

No. 42, "A bill for an Act to amend Sections 4779 and 4780 of the Revision of 1860, relating to peremptory challenges in criminal cases," have had the same under consideration, and have instructed me to report the same back to this House, and recommend that it do pass.

BEREMAN, Chairman.

Your committee to whom was referred the resolution asking an increase of pay to privates and non-commissioned officers in the United States service, beg leave to report that they have considered the same, and would recommend, that as a resolution of similar import has already passed both Houses, that no action be taken on this resolution.

J. ANDREWS, Chairman.

The report was adopted.

The committee on Agriculture, to whom was referred House File No. 16, and the substitute for House File No. 16, have had the same under consideration, and have instructed me to report the bill and substitute back to the House, and to recommend the adoption of the substitute, with the following amendments, to-wit:

In the 8th line, and in the 15th and 16th lines, erase the words "all other grain," and insert the words "corn and buckwheat;" and also erase the whole of Sec. 6.

All of which is respectfully submitted.

H. M. THOMSON, Chairman.

On motion, laid on the table and ordered to be printed.

Mr. Thomson presented a petition of F. Weeber, and other citizens of Johnson Co., praying for a change in Chap. 62, of laws of 1858, relating to wolf scalps, &c.

Referred to committee on Agriculture.

#### INTRODUCTION OF BILLS.

Mr. McNutt introduced House File No. 56, "A bill for an Act to amend Chap. 172 of the acts of the Ninth General Assembly." Read a first and second time, and referred to committee on Schools and Universities.

Mr. Cort introduced House File No. 57, "A bill for an Act to amend Sec. 711 of Chap. 45, of the Revision of 1860." Read a first and second time, and referred to committee on Ways and Means.

#### RESOLUTIONS.

Mr. Dorr introduced the following resolution:

*Resolved*, That the committee on Railroads be instructed to enquire into the expediency of limiting, by law, the price of freights on all the Railroads of this State, and report to this House, by bill or otherwise.

Adopted.

## MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your Hon. Body that the Senate has concurred in the joint resolution of the House of Representatives, appointing a committee to visit the Deaf and Dumb Asylum and State University, at Iowa City.

WM. F. DAVIS,  
Secretary of the Senate.

Mr. Moir introduced the following resolution :

*Resolved*, That the committee on Schools and Universities be instructed to report a bill to this House revising the School Laws of this State, abolishing the Board of Education, and establishing the independent district system.

Mr. Finkbine called for a division of the question.

Mr. Bromley moved to amend the first proposition by instructing the committee to enquire into the expediency of revising the School Laws.

Mr. Lyons moved that the further consideration of the subject be made the special order for to-morrow, at 10 o'clock A. M. Carried.

## MESSAGES AND COMMUNICATIONS.

The following communication from the Attorney General was received and read :

OFFICE OF THE ATTORNEY GENERAL, }  
DES MONES, Iowa, January 27th, 1864. }

*To the House of Representatives of the State of Iowa :*

I have the honor to acknowledge the receipt of your resolution requesting my opinion as to the constitutional right of the General Assembly to make an allowance to the Judges of the District Court for mileage or to defray their traveling expenses.

Sec. 9, Art. 5, of the Constitution, provides that the compensation of the Judges shall not be increased or diminished during the term for which they shall have been elected. The word compensation here used undoubtedly means pay to the judges for their personal services. Webster defines the meaning of the word, "as that which is given or received as an equivalent for services." The well understood purpose of this constitutional restriction is to make the judicial department of the Government entirely independent of the legislative.

The Constitution has vested in the Judges the power and duty of declaring void all enactments of the General Assembly which shall violate the provisions of the organic law. In order to secure the fearless and impartial performance of this duty, the Constitution has placed it beyond the power of the General Assembly either

to reward the Judges by increasing their compensation, or to punish or persecute them by diminishing it. It occurs to me that the members of the House can have but little difficulty in applying this rule to the matter referred to in the resolution. If increased traveling expenses have been made necessary by reason of new duties imposed upon the Judges, the General Assembly may certainly provide for such traveling expenses without at all affecting the compensation of the Judges. And it may be that, if from other causes, the traveling expenses of the Judges have been increased, that a provision might be made for their payment without increasing the compensation. If, however, the General Assembly propose now to pay such ordinary expenses of any character as the Judges have heretofore been required to pay out of their salaries, it does appear to me that their compensation is increased. Certainly, if the present law provided for the payment of the traveling expenses of the Judges, and the same was repealed, so that the Judges should thereafter be compelled to pay the same from the amount of their salaries, I think it would be very clear that their compensation would be thereby diminished. And if this General Assembly may pass such a law, the next General Assembly may repeal it, and thus the Judges must travel or not at their own expense, as the General Assembly may be pleased or displeased with them. I cannot think that such would be the independent judiciary intended to be provided for by the Constitution. I have felt some reluctance in arriving at the above conclusions, because I believe that the present compensation of our District Judges is wholly inadequate. If, however, the legislation you propose does not in fact increase the compensation of the Judges, I am glad to know that the condemnation of it cannot oblige them.

The House has required my opinion, and, under the sanctions of my official oath, I cannot come to any other than the conclusions above stated.

Respectfully submitted.

CHARLES C. NOURSE.

The Speaker announced as joint committee on the part of the House to visit the State University and Deaf and Dumb Asylum, Messrs. Hildreth and Sears.

Mr. Cort moved that the House do now adjourn.

The motion prevailed.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
 FRIDAY, January 29th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. D. E. Jones.

Journal of yesterday read and approved.

Mr. Hildreth moved that the special order be suspended for fifteen minutes. Carried.

Mr. Hildreth, by leave, introduced House File No. 58, "A bill for an Act relating to the branches of learning to be taught in the State University, and further to endow the same."

Read a first and second time, and, on motion, was laid on the table and ordered to be printed.

Mr. Knox, by leave, introduced House File No. 59, "A bill for an Act to amend an Act entitled 'An Act to provide a system of Common Schools,'" which was read, and, on motion of Mr. Maxwell, laid on the table.

The special order, the resolution offered by Mr. Moir, was then taken up. Mr. Finkbine offered the following substitute for the resolution:

*Resolved*, That the committee on Schools and State University be hereby instructed to report a bill abolishing the Board of Education, and providing for the appointment or election of a school officer to take the place of the present Secretary of said Board.

*Resolved*, That the committee be further instructed to report what amendments (if any) are necessary to perfect the present school system, and adapt it to the change proposed in the above resolution.

Mr. Moir, by leave, withdrew his resolution.

MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your honorable body, that the Senate has passed the following bills, in which the concurrence of the House of Representatives is respectfully asked:

Senate File No. 18, "A bill for an Act to increase the number of Judges of the Supreme Court, and for other purposes."

Substitute for Senate File No. 18, "A bill for an Act to repeal an Act entitled an Act to prevent the emigration of free negroes into the State, approved Feby. 5th, 1851."

Senate File No. 7, "A bill for an Act to change the time of holding County Courts in July and August."

Senate File No. 37, "A bill for an Act to amend Sec. 5, Chapter 163, of the Ninth General Assembly, and to fix the per diem of Road Supervisors."

And also, Senate File No. 80, "A bill for an Act to grant certain powers to the District Court of Lee County, and thereby relief to Jonathan Jones."

WM. F. DAVIS, Secretary of Senate.

On motion the House adjourned.

TWO O'CLOCK P. M.

The further consideration of Mr. Finkbine's resolutions was resumed.

On motion, the first resolution was adopted.

Mr. Fry offered the following as a substitute for the second resolution:

*Resolved*, That the committee be further instructed to make no changes further than are actually necessary to adapt the present school system to the change proposed in the above resolution.

Mr. Richards moved that the further consideration of the resolution be postponed until one week from to-day. Lost.

On the question, "Shall the substitute for the second resolution be adopted?" the yeas and nays were demanded and ordered, resulting as follows:

Those voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Carey, Carbee, Close, Darby, Davis, Elliott, Fenn, Fry, Garrett, Horton, Holdridge, Jeffries, King, Littler, Lindley, Lyons, Meissner, McNutt, Potter, Sturgis, Skiles, Thompson, and Vinton—30.

Those voting nay were, Messrs. Bereman, Baylies, Brown, Campbell, Cort, Clark, Day, Dorr, Fuller, Finkbine, Galland, Glendenning, Green, Gose, Gilchrist, Hildreth, Hixon, Helm, Hurst, Joy, Johnson, Knox, Latham, Lathrop, Logan, Lindsey, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Richards, Ranyan, Sanderson, Simpson, Stanton, Smith, Spurrier, Sweet, Van Sandt, Weare, Wolf, White, and Mr. Speaker—54.

Absent or not voting, Messrs. Burke, Christoph, Hale, McMaken, Russell of Jones, Russell of Washington, Paulk, Sears, and Stiles.

The substitute was not adopted.

On the question, "Shall the second resolution be adopted?" the yeas and nays were demanded and ordered, resulting as follows:

Those voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Galland, Glendenning, Green, Gose, Gilchrist, Hildreth, Hixon, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Potter, Richards, Ranyan, Sanderson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—78.

Those voting nay were, Messrs. Cort, Garret, and Horton—2.

Absent or not voting, Messrs. Burke, Christoph, Hale, McMaken,

McNutt, Russell of Jones, Russell of Washington, Paulk, Sears, Simpson, and Stiles.

The resolution was adopted.

Mr. Lathrop, by leave, introduced the following resolution, and moved its adoption:

*Resolved by the House of Representatives*, That the committee on Schools and Universities be hereby instructed to inquire into the expediency of making the County Superintendent of Schools a salaried officer, and making it his duty to visit the schools of his county twice in each year, and report by bill or otherwise.

The resolution was not adopted.

Mr. Richards asked for leave of absence for Mr. Christoph, for the remainder of this week, which was agreed to.

#### PETITIONS.

Mr. Hildreth presented the petition of R. N. Mathews, and other citizens of Floyd county, praying for the enactment of such laws as will give to each township in this State a thorough and complete township organization, and to enable them to collect taxes, &c. Referred to committee on County and Township Organizations.

Mr. Hixon presented the petition of Lewis Beardsly, and others, of Marshall county, praying that the Asylum for orphans of our soldiers may be located at Marshalltown. Referred to committee on Charitable Institutions.

Mr. Simpson presented a bill of Solomon Hayton, for hauling water, &c. Referred to committee on Claims.

Mr. Littler presented the petition of Ira G. Rhodes and others, praying for a repeal of the law creating a Board of Supervisors and establishing the office of County Judge. Referred to committee on County and Township Organizations.

Mr. Clark presented the petition of Allen A. Mason and others, of Monroe county, praying to have the school law amended by increasing the duties and compensation of County Superintendents.

Referred to committee on Schools and Universities.

#### REPORTS OF COMMITTEES.

Mr. Gilchrist, from committee on Ways and Means, submitted the following report, which was adopted:

I am instructed by the committee of Ways and Means to report back to this House Senate File No. 84, "A bill for an Act to authorize the State Treasurer to procure a safe for his office and to sell the old safe," and recommend that it pass with the following amendment, in Sec. No. 2: "*Sixteen hundred dollars*," instead of *fourteen hundred dollars*; also, adding the words at the conclusion of said Sec. 2—"not exceeding altogether the sum of sixteen hundred dollars." Sec. 3 stricken out.

On motion, the bill was ordered to be engrossed.

The committee on the Judiciary, to whom was referred House File No. 19, "A bill for an Act to repeal Chap. 72, of the acts of the Third General Assembly, entitled an Act to prohibit the emigration of free negroes into this State," have had the same under consideration, and have instructed me to report the same back, with the following substitute, and recommend that such substitute be adopted and passed.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred House File No. 11, "A bill for an Act to repeal Chap. 11, acts of the extra session of the Eighth General Assembly, entitled an act for the relief of volunteers who have been or may be mustered into the service of the United States Government, have had the same under consideration, and have instructed me to report the same back to this House, and recommend that it do pass.

BEREMAN, Chairman.

The Judiciary Committee, to whom was referred House File No. 34, "A bill for an Act to provide for issuing and serving certain legal processes on Sunday," have had the same under consideration, and have instructed me to report the same back with the following amendments, and recommend it do pass, to wit:—Strike out sections 2 and 3.

BEREMAN, Chairman.

The standing committee on Railroads, to whom was referred House File No. 52, "A bill for an Act supplemental to an act for the benefit of Railroad Companies," have instructed me to report the same back, and recommend its passage.

S. G. MAGILL, Chairman of Committee.

The select committee, to whom was referred House File No. 51, "A bill for an Act entitled an act to provide for the appointment of a Commissioner of Emigration," have had the same under consideration, and have directed me to report as follows, to wit:—Strike out Sec. 1st, and insert the following in its place:

SEC. 1st. *Be it enacted by the General Assembly of the State of Iowa*, That the Governor of the State be, and he is hereby authorized and empowered to appoint a Commissioner of Emigration, who shall reside in some city of Northern Germany, to be determined by the Governor, whose duty it shall be, by publication and all proper means, to diffuse information concerning the character of the institutions and the prospects of the State of Iowa, and the advantages to be derived from emigration hither, throughout the following districts, to wit: The Duchies of Schleswig-Holstein, Lawenburg, Mecklenburg, the Kingdom of Hanover, and adjoining countries.



Further, that the blank in Sec. 3 be filled by inserting therein \$2,000.

WM. SANDERSON, Chairman.

Mr. Knox moved that House File No. 59, "A bill for an Act to amend an act entitled an act to provide a system of Common Schools," be referred to committee on Schools and Universities. Carried.

The following communication was received from the Secretary of State, read, and, on motion, laid on the table.

*To the Speaker of the House of Representatives :*

In compliance with Section 19, Chapter 133, Acts of the Regular Session of the Ninth General Assembly of the State of Iowa, I make my report of the condition of the contingent fund for clerk hire in this office up to the 31st day of December, A. D. 1863.

Cash on hand the 4th of November, 1861.....\$208.00  
Appropriation of 1862.....2,000.00

1861, paid out as follows, to-wit:

Nov. 30, paid J. M. Davis, Deputy Secretary.....\$80.00

Dec. 26, " H. N. Brockway, for work in warehouse,..... 28.00

" 31, " J. M. Davis, Deputy Secretary,..... 80.00

1862.

April 12, paid H. N. Brockway, for work in office,..147.00

" 21, " James B. Wilson, " " .. 4.00

" 30, " J. M. Davis, Deputy Sec'y,.....320.00

June 28, " " " " .....160.00

Aug. 1, " " " " .....150.00

Sept. 1, " " " " ..... 80.00

Oct. 1, " " " " ..... 80.00

Nov. 1, " " " " ..... 80.00

Dec. 1, " " " " ..... 80.00

" 31, " " " " ..... 80.00

1863.

Feb. 2, " " " " ..... 80.00

" 28, " " " " ..... 60.00

Mch. 31, " " " " ..... 60.00

Apl. 30, " " " " ..... 60.00

May 13, " " " " ½ mo.... 20.00

" 30, " E. M. Wright, Deputy Sec'y, ¾ mo... 40.00

June 1, " " for work in Warehouse

1st to 10th of May..... 6.00

" 30, " E. M. Wright, Deputy Sec'y,..... 60.00

July 31, " " " " ..... 60.00

Sept. 14, " " " " 1 ½ mo.. 90.00

Sept. 30,	"	E. M. Wright, Deputy Sec'y,.....	\$30.00
" 30,	"	for extra work .....	15.00
Oct. 19,	"	Deputy Sec'y,.....	35.00
" 31,	"	" .....	25.00
" 31,	"	for extra work,.....	15.00
Nov. 30,	"	Deputy Sec'y,.....	60.00
" 30,	"	for extra work,.....	15.00
Dec. 31,	"	Deputy Sec'y, part pay,	31.30
" 31,	"	Geo. P. Abel, reading and recording census returns,.....	56.00
" 31,	"	J. M. Davis, reading and recording census returns,.....	21.00

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\$2,208.30 2,208.30

Respectfully,

JAMES WRIGHT, Sec'y of State.

#### BILLS ON SECOND READING.

Substitute for Senate File No. 13, "A bill for an Act to repeal an act entitled an act to prevent the emigration of free negroes," was taken up, read, and referred to committee on Judiciary.

Senate File No. 37, "A bill for an Act to amend Sec. 5, Chap. 163, of the ninth session of the General Assembly, and to fix the per diem of Road Supervisors," was taken up, read a first and second time, and referred to committee on Roads and Highways.

Senate File No. 80, "A bill for an Act granting certain powers to the District Court of Lee county, and relief thereby to Jonathan Jones," was taken up, read a first and second time, and referred to committee on Judiciary.

Senate File No. 7, "A bill for an Act changing the time of holding County Courts," was taken up, read a first and second time, and referred to committee on County and Township Organizations.

Senate File No. 18, "A bill for an Act to increase the number of Judges of Supreme Court," was taken up, read a first and second time, and referred to committee on Judiciary.

Mr. Andrews, of Keokuk, moved that when the House adjourn, it be until Monday morning at ten o'clock.

Mr. Campbell demanded the yeas and nays on the motion, which were ordered, resulting as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Bereman, Bromley, Bell, Buckham, Brown, Carbee, Cort, Clark, Day, Darby, Dorr, Elliott, Fenn, Finkbine, Garrett, Galland, Glendenning, Gose, Gilchrist, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Lindsey, Lyons, Maxwell, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, O'Brien, Parker, Perry,

Pritchard, Potter, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—64.

Those gentlemen voting nay were, Messrs. Andrews of Decatur, Bruce, Baylies, Carey, Campbell, Close, Davis, Fry, Fuller, Green, Littler, Lindley, Merriam, Meissner, Oliver, Richards and White—17.

Absent or not voting—Messrs. Burke, Christoph, Hale, King, Magill, McMaken, Russell of Jones, Russell of Washington, Paulk, Sears and Stiles.

The motion prevailed.

On motion of Mr. Finkbine, House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
Monday, February 1st, 1864. }

The House met pursuant to adjournment.

Prayer by Rev. J. A. Nash.

#### PETITIONS.

Mr. Holdridge presented the petition of J. L. Fuller and others, of Jones County, praying for the repeal of the Prohibitory Liquor Law, and the enactment of a License Law. Also, a petition of J. C. Jones and others, of Buchanan County, on the same subject. Referred to committee on Intemperance.

Mr. Close presented a similar petition of Wm. Chaffin and others, of Black Hawk County. Referred to committee on Intemperance.

Mr. Campbell presented the petition of Mrs. D. Ogilvie, and other members of the "Soldiers' Aid Society" of Mahaska Co., praying for an appropriation of *twenty thousand dollars* to the State Sanitary Commission. Referred to committee on Sanitary Affairs.

Mr. Hixon presented the petition of G. M. Woodbury, and other citizens of Marshall County, praying that the Orphan Asylum may be erected at Marshalltown. Referred to committee on Charitable Institutions.

Mr. Logan presented the petition of Gilbert Marshall, and other citizens of Webster County, praying for a repeal of the Prohibitory Liquor Law, and the enactment of a License Law. Referred to committee on Intemperance.

Mr. Burke presented the petition of H. Wallace, and other citizens of Bremer County, praying for the repeal of the Prohibitory

Liquor Law, and the enactment of a License Law. Referred to committee on Intemperance.

Mr. Van Sandt presented the petition of T. Evans and others, praying for the amendment of the School Law, by increasing the duties and compensation of the County Superintendent, &c. Referred to committee on Schools and Universities.

Mr. Oliver presented the petition of Wm. Krouner and thirty others, on the same subject. Referred to committee on Schools and Universities.

Mr. Bereman presented the petition of D. E. Jones, Gen. Agt. of A. B. S. for Iowa, praying for a law exempting the real estate of the American Bible Society in the State of Iowa from taxation. Referred to committee on Ways and Means.

#### REPORTS OF COMMITTEES.

I am instructed by a majority of the committee of Ways and Means to report a substitute for House Files Nos. 48 and 49, as follows:

"A bill for an Act authorizing and requiring the sale or exchange of specie now in State Treasury for legal tender notes of the United States, and recommend that the same do pass.

GILCHRIST, Chairman.

The Judiciary Committee, to whom was referred House File No. 15, "A bill for an act empowering Township Trustees to appoint certain officers." And also House File No. 25, and a substitute therefor, entitled "A bill for an Act to legalize the appointment of members of Boards of Supervisors in certain cases, &c.," have had the same under consideration, and have instructed me to report them back, with a substitute, and recommend that such substitute be adopted and passed.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred Senate File No. 13, and substitute for Senate File, No. 13, have had the same under consideration, and having heretofore recommended the passage of a bill on this subject, have instructed me to recommend that this lie on the table.

BEREMAN, Chairman.

The Judiciary Committee to whom was referred House File No. 2, "A bill for an Act entitled an act to pay the traveling and other incidental expenses of Judges of District Courts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, and recommend that it do lie on the table.

MOIR, for Committee.

The committee on Claims, to whom was referred the claim of Solomon Hoydon for \$6.88 for work done in Capitol yard, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, and recommend that said claim be allowed, and that the same be referred to the committee on Ways and Means, with instructions that the said claim may be put in the general appropriation bill.

MOIR, Chairman.

The committee on Claims, to whom was referred the claim of J. Ellis Guild for \$6.00, for two days' services as fireman *pro tem.* in this House, beg leave respectfully to report that they have had the same under consideration, and have instructed me to report the same back to the House, and recommend that said claim be allowed, and that the same may be referred to the committee on Ways and Means, with instructions that the same be put in the general appropriation bill.

MOIR, Chairman.

The committee on Schools and Universities, to whom was referred House File No. 53, have had the same under consideration and instruct me to report the bill back with a substitute and recommend the adoption and passage of the substitute. All of which is respectfully submitted.

HILDRETH, Chairman.

The committee on Military Affairs, to whom was referred the memorial of the Board of Control, asking the creation of the office of Surgeon General, instruct me to report the same back, and recommend that no action be taken in the matter.

J. ANDREWS, Chairman.

The committee on Military Affairs, to whom was referred the resolution instructing the committee to enquire whether any change could be advantageously made in the law relative to taking the soldiers' vote, beg leave to report that in their opinion no change would be expedient.

J. ANDREWS, Chairman.

On motion, the reports were laid upon the table.

The committee on Military Affairs, to whom was referred Senate File No. 76, have instructed me to report the same back to the House and recommend its passage.

J. ANDREWS, Chairman.

Your committee on Engrossed Bills have examined Senate File No. 84, "A bill for an Act to authorize the State Treasurer to procure a safe for his office," and find it correctly engrossed.

D. D. HOLDRIDGE, Chairman.

The committee on Roads and Highways to whom was referred Senate File, No. 37, "A Bill for an Act to amend Sec. 5, Chap. 163, of the Ninth Session of the General Assembly, and to fix the per diem of Road Supervisors," have had the same under consideration, and instructed me to report the bill back and recommend its passage.

E. DORR, Chairman.

The committee on County and Township Organization, to whom was referred Senate File No. 7, "A bill for an Act to change the time of holding County Courts in April and August," have considered the same, and have directed me to report it back to the House and recommend the passage thereof.

O. NELSON, Chairman.

The committee on County and Township Organization, to whom was referred the petition of citizens of Madison county, praying for a change in the manner of assessment by doing away with the Township Assessor system, and providing for County Assessors, have considered the same, and deeming such change inexpedient, have instructed me to report it back to the House, with the recommendation that the prayer of the petitioners be not granted.

O. NELSON, Chairman.

The report was adopted.

Mr. Russell, of Washington, from committee on Federal Relations, to whom was referred the concurrent resolution relating to an act of Congress, fixing a uniform time for the election of members of Congress and allowing all soldiers to vote for presidential electors, reported the same back, recommending its passage.

The resolution was adopted.

Your committee, to whom was referred the concurrent resolution on binding in one volume all pamphlet documents published during the present session, being informed that the Secretary of State has reserved 300 copies of all such documents, recommend that, instead of the number 250 in the resolution, the number 300 be inserted, and that the resolution, thus amended, do pass.

McNUTT, Chairman.

The report was adopted.

On motion, the resolution was then adopted.

The committee to whom was referred House File No. 6 and House File No. 41, with the substitutes and amendments, have had the same under consideration, and report back to this House a substitute for the same, which they recommend do pass.

OLIVER,  
JOY,  
SMITH, } Committee.

The committee on Claims, to whom was referred the claim of Solomon Hoydon for \$6.88 for work done in Capitol yard, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, and recommend that said claim be allowed, and that the same be referred to the committee on Ways and Means, with instructions that the said claim may be put in the general appropriation bill.

MOIR, Chairman.

The committee on Claims, to whom was referred the claim of J. Ellis Guild for \$6.00, for 'two days' services as fireman *pro tem.* in this House, beg leave respectfully to report that they have had the same under consideration, and have instructed me to report the same back to the House, and recommend that said claim be allowed, and that the same may be referred to the committee on Ways and Means, with instructions that the same be put in the general appropriation bill.

MOIR, Chairman.

The committee on Schools and Universities, to whom was referred House File No. 53, have had the same under consideration and instruct me to report the bill back with a substitute and recommend the adoption and passage of the substitute. All of which is respectfully submitted.

HILDRETH, Chairman.

The committee on Military Affairs, to whom was referred the memorial of the Board of Control, asking the creation of the office of Surgeon General, instruct me to report the same back, and recommend that no action be taken in the matter.

J. ANDREWS, Chairman.

The committee on Military Affairs, to whom was referred the resolution instructing the committee to enquire whether any change could be advantageously made in the law relative to taking the soldiers' vote, beg leave to report that in their opinion no change would be expedient.

J. ANDREWS, Chairman.

On motion, the reports were laid upon the table.

The committee on Military Affairs, to whom was referred Senate File No. 76, have instructed me to report the same back to the House and recommend its passage.

J. ANDREWS, Chairman.

Your committee on Engrossed Bills have examined Senate File No. 84, "A bill for an Act to authorize the State Treasurer to procure a safe for his office," and find it correctly engrossed.

D. D. HOLDRIDGE, Chairman.

The committee on Roads and Highways to whom was referred Senate File, No. 37, "A Bill for an Act to amend Sec, 5, Chap. 163, of the Ninth Session of the General Assembly, and to fix the per diem of Road Supervisors," have had the same under consideration, and instructed me to report the bill back and recommend its passage.

E. DORR, Chairman.

The committee on County and Township Organization, to whom was referred Senate File No. 7, "A bill for an Act to change the time of holding County Courts in April and August," have considered the same, and have directed me to report it back to the House and recommend the passage thereof.

O. NELSON, Chairman.

The committee on County and Township Organization, to whom was referred the petition of citizens of Madison county, praying for a change in the manner of assessment by doing away with the Township Assessor system, and providing for County Assessors, have considered the same, and deeming such change inexpedient, have instructed me to report it back to the House, with the recommendation that the prayer of the petitioners be not granted.

O. NELSON, Chairman.

The report was adopted.

Mr. Russell, of Washington, from committee on Federal Relations, to whom was referred the concurrent resolution relating to an act of Congress, fixing a uniform time for the election of members of Congress and allowing all soldiers to vote for presidential electors, reported the same back, recommending its passage.

The resolution was adopted.

Your committee, to whom was referred the concurrent resolution on binding in one volume all pamphlet documents published during the present session, being informed that the Secretary of State has reserved 300 copies of all such documents, recommend that, instead of the number 250 in the resolution, the number 300 be inserted, and that the resolution, thus amended, do pass.

McNUTT, Chairman.

The report was adopted.

On motion, the resolution was then adopted.

The committee to whom was referred House File No. 6 and House File No. 41, with the substitutes and amendments, have had the same under consideration, and report back to this House a substitute for the same, which they recommend do pass.

OLIVER,  
JOY,  
SMITH, } Committee.



## INTRODUCTION OF BILLS.

Mr. Runyan introduced House File No. 60, "A bill for an Act to extend the provisions of Article four of Chap. 54 of the Revision of 1860, so as to apply to the construction of mill races." Read a first and second time, and referred to committee on Internal Improvements.

Mr. Johnson introduced House File No. 61, "A bill for an Act for providing certain statistical information, and imposing further duties upon certain officers therein named." Read a first and second time, and referred to committee on Agriculture.

Mr. Gose introduced House File No. 62, "A bill for an Act to amend Sec. 3983 of the Revision of 1860, in relation to evidence." Read a first and second time, and referred to committee on Judiciary.

Mr. Johnson introduced House File No. 63, "A bill for an Act fixing the compensation of District Attorneys." Read a first and second time, and referred to committee on Judiciary.

Mr. Andrews, of Keokuk, introduced House File No. 64, "A bill for an Act authorizing the Governor to furnish Tourniquets for the use of the soldiers." Read a first and second time, and, on motion, the bill was laid upon the table.

Mr. Galland introduced House File No. 65, "A bill for an Act to authorize the establishment of Houses of Refuge." On motion, was laid on the table, and ordered to be printed.

Mr. Holdridge introduced House File No. 66, "A bill for an Act to amend the Acts for the protection of Game." Read a first and second time, and referred to committee on Agriculture.

## RESOLUTIONS.

Mr. Paulk introduced the following resolution, and moved its adoption:

*Resolved*, That the committee on Claims be and that they are hereby instructed to report adversely upon all claims which have been submitted to and rejected by the State Board of Claims.

On the question, "Shall the resolution be adopted?" the yeas and nays were demanded and ordered, resulting as follows:

Those gentlemen voting yea were, Messrs. Bereman, Campbell, Cort, Day, Fry, Fuller, McCormick, Oliver, O'Brien, Paulk, Richards and Vinton—12.

The gentlemen voting nay were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Garrett, Galland, Glendinning, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills,

Munsell, Moir, McNutt, McCall, McKnight, Nelson, Russell of Jones, Russell of Washington, Runyan, Parker, Perry, Pritchard, Potter, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—74.

Absent or not voting—Messrs. Brown, Christoph, Finkbine, Hurst, McMaken and Sears.

The motion to adopt did not prevail.

Mr. Close introduced the following joint resolution, which, on motion, was adopted:

*Be it resolved, by the House of Representatives, the Senate concurring,* That there be appointed a committee of two on the part of the House, and one on the part of the Senate, to visit the Blind Asylum at Vinton, and examine into the condition and wants of that Institution, and report at their earliest possible convenience.

#### MESSAGES AND COMMUNICATIONS.

The following communication from Adjutant General Baker was received, read, and referred to committee on Military Affairs:

DES MOINES, Feb. 1st, 1864.

*Hon. Jacob Butler, Speaker of the House of Representatives:*

SIR:—I have the honor to acknowledge the receipt of the following preamble and resolution adopted by your honorable body, viz:

"WHEREAS, It is claimed by the members of the 1st Iowa Cavalry that there is due them by the State one and one-half month's pay, and which debt the State refuses to pay; therefore be it

*Resolved,* That the Adjutant General of the State be requested to report to this House all the facts in the case—the reasons why the amount claimed to be due has not been paid, and what action is necessary to be taken by this House to enable said payment to be made."

As the correspondence and records relating to the 1st Iowa Cavalry were at Davenport, I was compelled to address a note to Col. J. O. Culbertson, A. A. G., for copies of correspondence, dates, &c. This will account for the delay in my answer.

Accompanying, you will find a letter of A. A. G. Culbertson, fully explaining the matter; also, copies of letters relating thereto, with dates, &c., referred to in said communications.

As the House requests me to report "what action, if any, is necessary to be taken to enable said payment to be made," as claimed by said members of the 1st Iowa Cavalry, I can only suggest, if the General Assembly deem the claims just and proper, a law can be passed directing the auditing of the same and payment out of the War and Defense Fund.

With great respect, truly yours,

N. B. BAKER,  
Adjt. Genl. of Iowa.

STATE OF IOWA,  
 ADJUTANT GENERAL'S OFFICE,  
 DAVENPORT, IOWA, Jan. 28th, 1864. }

*Gen. N. B. Baker, Des Moines, Iowa :*

DEAR SIR :—The copy of resolutions of the House about the pay of the 1st Iowa Cavalry, has been received. The 1st Iowa Cavalry was originally an *Independent Regiment*, authorized directly (10 Cos.) by the Secretary of War, June 13th, 1861, as is shown by the muster roll of Field, Staff and Band, returned to this office by Lt. J. C. Stone, Adjt., and certified to by Col. Fitz Henry Warren, Oct. 31st, 1861, and on which appears the following entry: "The Col., Lt. Col. and Maj. Chamberlin were accepted by the Secretary of War with the regiment;" and opposite each of said officer's names is entered "June 13th, 1861," as *their date and rank*. Subsequently, to-wit: on Aug. 21, 1861, said regiment was *increased* to 12 Cos., as shown by Exhibit A., enclosed, and in accordance with Col. Warren's request of Aug. 12th and 14th, 1861. I find in an *old* memorandum book of office here an entry referring to letters to the Governor from the War Department here, under date of June 19th and July 9th, 1861, about this regiment, which letters are on file in the Executive Office, and not here. The ten companies of this regiment, A. to K., inclusive, *then* being an Independent Regiment, accepted and authorized *originally* by the War Department, were not entitled to pay from this State, not being raised under a "requisition" made "by the U. S. Government on the Governor of this State," as required by Act of the 8th General Assembly, extra session, Chap. 11, Sec. 1. Neither Col. Warren nor the regiment expected any pay from the State for these ten companies. Col. Warren writes, Dec. 16th, 1861, to this Department, asking for the original company rolls, stating that "everybody at Washington is trying to make a fuss about our pay. We claim from June 13th, and can claim from various different dates in May. I intend to have pay from June 13th for all of the *MEN* who are entitled to it," &c. Under these circumstances, this State fairly inferred that the U. S. would pay the men from enlistment, and the officers from actual command. In fact, it was advised that the regiment had been so paid, by 2d Lt. T. A. Bereman, in a letter of date of Dec. 16th, 1862. (Exhibit B.)

Col. Warren, in letter of date August 26th, 1862, stated that all of his officers had been paid from July 31st, 1861, but that a stoppage had been entered up against him on the ground that he had drawn pay from June 13th, 1861, to September 24th, 1861, to which the Department then ruled he had *no right*. At the earliest practicable day after Col. Warren's request, this Department forwarded him copies of muster rolls (State) of ten companies, to assist them in getting their pay from the United States, to wit: Company A, January 9th, 1862; Companies B, C, D, E, and F, January

10th, 1862; Companies G and H, January 11th, 1862; Companies I and K, January 13th, 1862, in full of his requisitions. His object is stated by him in a letter of January 1, 1862, thus; "They are wanted to establish our claims to payments of the just dues of the Regiment." The receipt of rolls was acknowledged by Col. Warren, January 17th, 1862, who states that they lack what would have made them of any value, "the date of enlistment; that is the only point of controversy." To which this Department answered, January 28th, 1862, that "the only certificate we could furnish, as regards the date of enlistment of soldiers, is based upon the muster rolls filed here. If the Captains neglect to certify to these dates on their muster rolls, the men suffer." The same in substance was replied to Col. Warren's letter of June 19th, 1862, in letter of Gen. Baker, of June 25th, 1862, to Col. Warren. (See Exhibit C.) I have caused an accurate examination to be made of the original State muster rolls of these ten Companies, and find that the Captains have, in *every instance*, neglected to certify to the date of enlistment, and though persistent efforts have been made by this Department to obtain the same, they have most signally failed. What makes it perfectly clear that this regiment never expected pay from the State, is the fact that these *ten Companies* never filed one pay roll in the proper department of the State or this office claiming the payment of the same from this State. Individual cases have been inquired about, but the invariable response of this office has been that no pay roll had been filed, and that it had always been the impression of this office that the United States paid from enrolment of the men. Company M filed a pay-roll, but this was a Company subsequent to the acceptance of the ten Companies by the Secretary of War, and assigned by the *Governor*, (under orders of this Department directly to HIM,) to the 1st Iowa Cavalry, and about three-fourths of the Company were therefore paid by the State on that pay-roll.

Col. Warren, after the stoppage was made against him, was paid by the State, but informs this Department of date of April 30th, 1863, that the Judge Advocate General of the United States had examined into his case, reversed the former decision, thus establishing his right to pay from June 13th, 1861, and that the United States had refunded him the amount, and he stood ready to repay the State, which he has been instructed to do by me. (See Exhibit D.) If, THEN, Col. Warren has been re-instated and his pay allowed him, the same ruling of the Judge Advocate General will entitle his Regiment to pay, and application should be made to the Secretary of War to pay the men and officers, now in service, if pay has been withheld from them unjustly, or unjust stoppages made against them, paid at next muster of the Regiment for pay, proper entries being made on the rolls as to the time of enlistment, &c., &c. The decision in favor of Col. Warren carries the Regiment, by parity of reasoning, with it. If officers and men are out of service, appli-

cation should be made by them or their heirs to the 2d Auditor of the Treasury. If deemed advisable, the Legislature might memorialize the Secretary of War on the subject.

If, however, the point of this being an independent organization was not in the case, I, as Paymaster General, could not pay it, under *present laws*. By Act of the 8th General Assembly, extra session, Chap. 11, Sec. 4, "No person shall be entitled to *any compensation*, under the provisions of this act, who shall *have received or be entitled* to any compensation for the same services rendered, under any law of the United States." Now I am advised by the Paymaster General of the United States Army, under date of October 20th, 1863, that "The United States allows pay to all privates from the date of enlistment. Non-commissioned officers can also draw pay as privates from the date of enlistment till the date of company organization with minimum number, and as non-commissioned officers from that date. Wherever payment has not been made according to this rule, the arrears still due can be paid on the next muster for pay of the Regiment, proper entries being made on the muster-rolls to show the amount due, and the dates between which such amount accrued. The United States has paid *all* officers from the time of proper command being assigned, which command is as follows: 1st Lieutenant, half a company; Captain and 2d Lieutenant, a full company; Lieutenant Colonel, four companies; Major, six companies; Colonel, and remainder of Field and Staff, full regiment. Claims for compensation prior to actual command, should be made to the Adjutant General of the Army, and are to be paid out of the recruiting fund, and not by the pay department." The United States, then, October 20th, 1863, had provided for the whole period of service and for the payment of arrears, and therefore the State law FORBIDS me to pay. I enclose you a rough sketch of order into quarters, as is alleged to mustering. The Captains, in most instances, certify, but where you see "no certificate" lined out, Sutton says it was obtained by the clerks from *other sources*, and he does not know how reliable it is. We can not go back of it well, and if this matter is thrown on the State, it will be attended with much perplexity, first, in proving dates and then getting it back from the United States. The men, too, from the United States can draw pay from enlistment, whereas, if the State pays them, or directs them to be paid, under Chap. 11, 8th General Assembly, they will only get it by actually going into quarters. I give you all the facts for you to draw answers to the House as your memory may supply certain facts that should be known. I have aimed to do the officers no more than justice, and I think I have given you all the data. You may rely on the dates, &c. I have drawn this in great haste for the first mail, as you asked it.

Yours, truly,

JOHN C. CULBERTSON,  
Acting Paymaster General.

*Under President's call of May 3, 1861.*

Co. A.	ordered into quarters	July 18, '61.	Mustered,	July 30, '61.
" B.	" " "	July 18, '61.	"	July 30, '61.
" C.	" " "	July 18, '61.	"	July 31, '61.
" D.	" " "	July 18, '61.	"	July 31, '61.
" E.	" " "	July 18, '61.	"	July 31, '61.
" F.	" " "	July 18, '61.	"	Aug. 1, '61.
" G.	no certificate (as to date.)		"	Aug. 1, '61.
" H.	ordered into quarters	July 18, '61.	Mustered,	Aug. 3, '61.
" I.	" " "	July 18, '61.	"	Aug. 3, '61.
" K.	" " "	July 18, '61.	"	Aug. 17, '61.
" L.	no particulars in certificate.		"	Sep. 12, '61.
" *M.	ordered into quarters	Sept. 2, '61	"	Sep. 12, '61.

\*Proclamation July 23, '61.

#### EXHIBIT A.

HEADQUARTERS, CAMP WARREN, }  
BURLINGTON, IOWA, Aug. 14th, 1861. }

*Adjutant General:*

I have the honor to acknowledge your two favors of the 9th and 13th.

My men, greatly demoralized by the premature movement, are now in good condition, and if left in present position for two weeks, will be in a proper state of organization for active service. I am destitute of blankets, clothing, arms and accoutrements, for which I wait.

The two companies deficient in my regiment I shall be glad to have supplied. Adj. Heath proposes to raise a company at once. It would be advisable to have him with my command.

I have the honor to be very respectfully your obt. servt.,

FITZ HENRY WARREN,

Adj. Gen. N. B. Baker.

Col. 1st Iowa Cavy.

STATE OF IOWA, }  
ADJUTANT GENERAL'S OFFICE, }  
DAVENPORT, IOWA, Aug. 21st, 1861. }

*To Col. Warren, Burlington :*

Increase your regiment to twelve companies, by adding the company of Capt. Crocker and one to be raised by Col. Heath. Have Crocker's mustered in now.

(Signed,)

N. B. BAKER,  
Adj. General.

## EXHIBIT B.

MOUNT PLEASANT, IOWA, Dec. 16, 1862.

*Hon. N. B. Baker, Adjutant General, Clinton, Iowa,*

DEAR Sir:—I have a claim against the State of some hundred and seventy odd dollars, for services as Lieutenant in the 1st Cavalry, and as I can procure no blanks here, it will probably be less trouble to you if you will send me a blank (with the necessary instructions) in which to make out my account.

The 1st Regiment of Cavalry, you doubtless remember was accepted by the Secretary of War on the 13th of June 1861, and was paid from that time, by the paymaster at St. Louis, but a personal feeling having arisen between Col. Warren and Col. Andrews, the paymaster, the latter said he would deduct that amount of pay from us, (that is, the amount paid for the time intervening between the 13th of June and the day of rendezvous at Burlington,) which he afterwards did, against the protest of all in the regiment.

I learned just before leaving the regiment that the State would pay us for that time on the receipt of the proper Muster Rolls. Having no longer any connection with the regiment, I make this application for my individual account.

Hoping that I have not intruded to long upon your time and attention,

I am Very Respectfully,

Your ob't Servant,

[Signed]

T. A. BEREMAN,

Late 2d Lieut., Co. E, 1st Iowa Cavalry.

[ANSWER TO BEREMAN'S LETTER BY COL. HALL.]

DAVENPORT, IOWA, Dec. 22, 1862.

*Lt. T. A. Bereman, Mount Pleasant, Iowa.*

SIR:—Yours of Dec. 16th. is at hand. It has always been understood that the 1st Regiment of Cavalry was paid by Government from date of enrollment. There has never been any pay rolls returned by any except the last two companies who were added after the regiment was organized.

I am aware of the action of Government in paying them, and afterwards stopping a certain portion of it, but it is thought this will yet be arranged, and while the claim is pending, you could not be paid by the State.

None of the officers of the first ten companies have been so paid.

Truly Yours,

[Signed]

P. E. HALL,

Acting Paymaster General, Iowa.

## EXHIBIT C.

BATESVILLE, Bates Co., Mo., June 19th, 1864.

*Adjutant General :*

I addressed you from Burlington, about May 26th, recommending Capt. P. Gad Bryan, Major, vice Torrence, resigned; Lt. J. D. Jenks, Co. D, Captain, vice Bryan, promoted; Lt. J. C. Stone, 1st Lt., vice Jenks, promoted, Co. D; Orderly Serg't Joseph S. Edsall 1st Lt. and Battalion Adjutant, 3d Battalion, rank and pay date from May 3d, 1862.

I have conformed to Gov. Kirkwood's instructions, and report Major Bryan as the choice of a plurality of the regiment for Major. I also stated in my letter above, that I shall be in Burlington until June 11th, and requested a reply there. As I have had none, nor has any been received here, I am constrained to believe that you did not receive my letter. I am sure you would not be so discourteous as not to acknowledge the receipt of it. I am also informed at St. Louis, that you have certified that the First Iowa Cavalry were not entitled to pay until July 31st. I have repelled this as a slander. I hold a commission as Colonel of the First Regiment Iowa Cavalry, dated June 8th. I would not suggest to your acute mind that Gov. Kirkwood would not have commissioned an officer of a regiment which did not exist, nor would he have certified to the Secretary of War, at the same date, that *the regiment had been fully organized and was ready for service.*

Waiting the receipt of the Commission,

I remain, very truly, your obedient servant,

FITZ HENRY WARREN,

Col. 1st Iowa Cav.

Adj. Gen. N. B. BAKER, Clinton, Iowa.

STATE OF IOWA,  
ADJUTANT GENERAL'S OFFICE, }  
DAVENPORT, June 25, 1862. }

*Colonel :*—I cannot issue the commissions you refer to under date June 19, without the Governor's orders. Your letters have been promptly attended to.

Whatever certificates have been given in relation to date of muster of your companies, have been in accordance with the certificates of your Captains. If there is any error it will be most cheerfully rectified, but you must remember that I am compelled to follow the record which your own officers furnish.

I have the honor to be truly yours,

[Signed,]

N. B. BAKER,

Adj't General.

Col. F. H. WARREN, 1st Iowa Cav., Missouri.



## EXHIBIT D.

WILLARD'S HOTEL, WASHINGTON, D. C., }  
 April 30, 1863, }

SIR:—The Judge Advocate General has examined and reported in my case, and decides that I am entitled to my pay and emoluments from June 13, 1861 to Sept. 24, 1861.

For a portion of this time I have been paid by the State, but in order to have an intelligible adjustment, I shall draw for the whole period, but am ready to pay over to the State Treasury any sums with which it shall appear I am justly charged.

I am Sir, very respectfully,

Your ob't Servant,

[Signed]

FITZ HENRY WARREN,  
 Late Col. 1st Iowa Cavalry.

To his Excellency SAMUEL J. KIRKWOOD, Governor of Iowa, Iowa City, Iowa.

STATE OF IOWA, }  
 ADJUTANT GENERAL'S OFFICE, }  
 DAVENPORT, March 13th, 1863. }

*To whom it may concern :*

I was appointed Adjutant General of Iowa, July 25th, 1861.

As I understand it, the First Iowa Cavalry was then considered as a full regiment of ten companies. Subsequently it was filled to twelve companies. Company L was mostly raised by Capt. (now Major 7th Cavalry) H. H. Heath, and a certificate on the roll of said company states that it was ordered into quarters *July 18th, 1861*, but this date, I have no doubt, is a mistake. It was mustered in by (then) Capt. Gower of said regiment, but the date of muster is not given.

Co. M. was mustered in September 12th, 1861, by Capt. Chambers, U. S. A., at Davenport, and then forwarded to the headquarters of the regiment at Burlington, Iowa.

[Signed,]

N. B. BAKER,  
 Adjutant General of Iowa.

The following communication was received from the Attorney General, which, on motion, was laid on the table and ordered to be printed :

OFFICE OF ATTORNEY GENERAL, }  
 DES MOINES, January 28th, 1864. }

*To the Senate, and House of Representatives of the State of Iowa :*

I have the honor to acknowledge the receipt of resolutions from the Senate and House of Representatives respectively, requesting me to communicate my opinion as to what legislation is at this time

necessary in order to do justice to the State, and all parties for whom she is interested as trustee in the lands granted to the State by Congress, in trust for the improvement of the Des Moines River,—to aid in the construction of Rail Roads within the State,—and also lands granted to the State for certain purposes of indemnity. To say what the law ought to be in regard to interests so important and conflicting as those involved in the subject of your resolutions, is to place upon me a very serious responsibility, and one perhaps hardly falling within the ordinary scope of my official duties. Nevertheless, in obedience to your request, I submit the following suggestions which occur to me as proper and just in the premises.

In order to understand what ought to be done to remedy the difficulties in which the State and its citizens have become involved, it becomes necessary, first, to fully understand the origin and nature of these difficulties.

By an act of the Congress of the United States, approved August 8th, 1846, there was granted to the then Territory of Iowa, in trust for the improvement of the Des Moines river, one equal moiety in alternate sections of the public lands not otherwise disposed of in a strip five miles in width on each side of the river.

The question in relation to this grant which has occasioned so much difficulty, is upon the *length* of the grant; that is to say, whether or not it embraced the alternate sections within five miles of the river the entire length of the river, or the entire length of the river within the State, or whether it was limited the designated width below the Raccoon Fork of the river, where the work of improvement was directed to be made.

This difficulty has become the more serious, because of the claims of certain Rail Road Companies who are asserting that they have acquired vested rights under a subsequent grant of Congress to the State for Railroad purposes. The claim asserted by them is this: By Act of Congress, approved May 15th, 1856, there was granted to the State of Iowa, in trust for the construction of four designated lines of railway running East and West across the State, the alternate sections of land on the lines aforesaid for six sections in width except such as the United States had already sold or otherwise appropriated, and especially reserving from the operation of the act, all lands reserved by the United States or any other competent authority, for purposes of internal improvement.

One of these lines of Railroads crossed the Des Moines river at the Raccoon Fork, and two others crossed the river above that point. At the time the State of Iowa accepted of the trust and disposed of the grant of 1856, made for Railroad purposes, the Commissioner of the General Land Office of the United States had ceased to question the right of the State under the grant of 1846, to the alternate sections of land within five miles of the river up to the Northern boundary of the State.

The Commissioner had expressly reserved these lands from public sale or private entry for this work of internal improvement, and being, as was supposed, the competent authority within the meaning of the proviso to the Rail Road Grant of 1856, no one interested in the subject seemed at that time to contemplate any difficulty.

Hence in disposing of the grant of 1856 for Railroad purposes, the General Assembly of the State seems not to have anticipated the possibility of any conflict between the two grants. I can discover no mention of such question in the proceedings of either branch of the General Assembly during the extra session of 1856. If any such thing was thought of or contemplated by any one at that time, it appears to have been *carefully concealed*.

The act of the General Assembly of 1856 in granting the lands donated to the State in trust for Railroad purposes, uses very general and comprehensive words, granting to the Railroad Companies upon certain conditions all the rights conferred upon the State by the act of Congress, approved July 15, 1856.

The Dubuque and Pacific Railroad Company, the Cedar Rapids and Missouri River Railroad Company, have asserted a claim to the lands heretofore treated and regarded by the authorities of this State and of the United States as belonging to the Des Moines river grant, or rather to all of said lands lying within fifteen miles of the contemplated route of their Roads. If their claims shall be recognized, it is fair to presume that the Mississippi and Missouri River Railroad Company will make the same claim. The Burlington and Missouri River Railroad Company have no interests in this question, as their road crosses the Des Moines river below the Raccoon Fork.

As the State has already sold and executed patents for 271,571 acres of land above the Raccoon Fork of the river, nearly all of which will come within this claim of the Railroad Companies, the success of their pretensions will involve the State either in the necessity of making good the title to that amount of land, a considerable portion of which is now well improved and under cultivation, or she must repudiate the titles executed by her and leave those who have purchased without any remedy.

In nearly if not all the legislation by the State in regard to the Des Moines river grant and in the Act authorizing the contract under which the agreement was made between the State and the Des Moines Navigation Company, there is contained a provision in substance that the State in her sovereign capacity shall not be charged with any liabilities assumed, but all such liabilities shall be chargeable upon and payable out of the remaining lands belonging to the Des Moines river grant.

This provision clearly pledges the faith of the State to appropriate the lands then supposed to belong to the grant, to the discharge of all the obligations thus incurred, provided she then had or has

since secured the title thereto, or can in any proper manner control the same.

The State has not, however, pledged her faith to appropriate money out of her ordinary revenues to made good of any of these obligations. Should the State, however, fail to redeem her pledge in regard to the appropriation, the claimants might perhaps justly ask of her such indemnity. Because of these provisions against State liability, it has been supposed that no obligation, either of a legal or equitable character, rests upon the State.

As to the matter of the liability of the State, this provision of the law makes no difference of legal right, as the State could in no event be made liable in a *suit* by the parties, for the reason that the sovereign power cannot be sued. In denying to those who have received her patents a right of action against the State, the State has only denied to them what she denies to all of her citizens in any and every business transaction with them. The State as a sovereign power refuses to be sued upon the hypothesis that she is the fountain of justice, created by the will of the people for the very purpose of securing to individuals their rights of private property, of personal liberty and security, and is presumed to be incapable, in her sovereign capacity, of withholding or intruding these sacred rights.

It may be questionable whether popular legislation, subject as it is to be influenced by public clamor or private interests, will always justify this theory, yet those who have in their keeping the character and honor of the State, cannot too sacredly regard it. Let it be remembered that it is the will of the law making power, that in such cases creates the legal right, and the considerations which influence that *will*, are necessarily of a purely moral or equitable character.

In order that these considerations may be fully ascertained in the various interests involved, it becomes necessary to review at some length the acts of the State of Iowa, as the Trustee of the lands for the improvement of the Des Moines river.

By act of the General Assembly, passed in 1848, the State organized a board of public works, and authorized them to let contracts for the construction of locks and dams upon the Des Moines river, and the general improvement of the navigation of the same by means of slack water.

From this date to June, 1854, the improvement of the river was attempted by means of numerous contracts let to private persons for the construction of locks and dams, excavations and materials. The State also established an office for the sale of the lands of the improvement, in order to raise the means to carry on the work, and also authorized the issue of bonds upon the faith of the grant. The State and its officers are alone responsible for whatever of failure or misfortune attended this enterprise during this time.

During the six years the State controlled the work, 327,000 acres of land were sold, 58,830 acres of which were of those above the Raccoon Fork of the river. An indebtedness estimated at \$60,000, but in fact about \$70,000, was incurred. But little progress was made in the enterprise, and many incidental and contingent liabilities and obligations were incurred. By reference to page thirty-five of the report of the Register of the State Land Office, made to the General Assembly now in session, you will find a tabular statement of claims against the Des Moines River Improvement, audited by a board of commissioners appointed by act of the General Assembly, approved March 3d, 1860. An explanation is necessary to understand the nature and origin of some of these claims. At the time of the organization of the board of public works, in 1848, a number of citizens had, under authority of the territorial legislature, erected locks and dams of a temporary character upon the Des Moines River, at their own private expense, for the purpose of creating a water power, and had put up mills and machinery adjacent thereto. In the act of 1848, the State authorized the board of public works to condemn and remove these locks and dams, and to locate works of a more permanent character, but also provided that compensation should be made for the injury thus done to the mill owners; and as a cheap method of compensating them, in part, recommended the granting of new leases for a term of years for water power at the new dams.

The board was also authorized to condemn the lands of private citizens adjacent to the location of the public dams, and to take the title to the State to sufficient lands for the proper use of the power to be created by their erection, and also to grant leases for water power on consideration, in part, for the lands, so taken and condemned.

In pursuance of these powers, the officers of the State entered into contracts for the lease of specific water power at various points upon the river, upon the faith of which the lessees constructed numerous and valuable mills and machinery.

These leases were unfortunately contracted before the water power was actually created by the completion of the dams, and an undue confidence was placed in the future progress of the work. It is unnecessary for me to write the chapter of accidents to which may be attributed the misfortunes of the State, and of those who relied upon the covenants of these leases. Suffice it to say, that the works at Croton, Bonaparte and Bentonport were almost continually out of repair, whilst those at Keosanqua and Plymouth have never yet been completed.

The above is the origin and character of most of these claims, others are for work done by mill owners since the settlement between the Des Moines Navigation Company and the State, and others are for services of various kinds under contracts with the officers of the

State, and a few of the small claims are, I think, for detention and injury to boats by reason of the condition of the locks and lock gates, during the time of navigation. As to the provisions made for the payment of these claims I shall have more to say hereafter.

In the year 1853, the work on the Des Moines River under the supervision of the officers of State, was nearly if not entirely suspended. As will be seen by the report of the Commissioner and Register made to the Governor in 1852, negotiations had been opened with various parties in St. Louis and New York, in order to obtain the means to pay off the existing debt, and to further prosecute the work. In that report the Commissioner says:

"It is now a clearly ascertained fact, about which a doubt can no longer exist that the large debt, hanging over the work which should and must be paid, and the slow sales of the lands, it is folly to expect to carry the Des Moines Improvement to completion in many a long year, if ever. It is hardly too much to say that the work can never be completed unless some steps be taken by legislative enactment to infuse new life into it."

This report also contains a lengthy correspondence with Messrs. Page & Bacon of St. Louis, and a proposition on their part to undertake the work upon the terms afterwards substantially made in the contract with the Des Moines Navigation Company.

In consequence of the condition of affairs as set out in this report the General Assembly of the State by Act approved January 24, 1853, authorized the Commissioner, with two assistants, George G. Wright, of Van Buren County, and Uriah Biggs of Wapello county, to make a contract for the means to carry on the work and to pay off the indebtedness. After more than a year's effort and correspondence with various capitalists (Messrs. Page & Bacon of St. Louis having in the meantime declined the work altogether,) these Commissioners of the State made a contract with the Des Moines Navigation and R. R. Company, an association composed of capitalists, then residing principally in the State of New York, and incorporated under the laws of this State for the purposes of undertaking this contract. This contract was dated June 9th, 1854, and from this date is the first connection of the Des Moines Navigation Company, with the affairs of the improvement.

In many respects this contract with the Des Moines Navigation Company did not differ from the contracts let for construction of dams before that time, to private parties. The State still controlled the character of the work by her Commissioner and Register, and the supervision of a State Engineer. The company received pay only for work done at specific prices set out in the contract. So much per perch for stone or masonry work, so much per foot for timber, and so much per pound for iron. The essential difference between this contract and the old ones was, that the State paid for the work in land at \$1.25 per acre, instead of the money or the

bonds of the Improvement. Another important stipulation of this contract was, that as a condition precedent to the contract, the Des Moines Navigation Company advanced \$55,000 to pay the indebtedness then due upon the bonds of the improvement, and provided for the remaining indebtedness which they afterwards paid, to the amount, including the above of \$68,953,57 which is exclusive of the additional \$20,000 paid on the final settlement. At the date of this contract the Commissioner of the General Land office had certified to the State, as belonging to the State, for the purposes of the river improvement 271,572 acres of land located above the Raccoon fork of the river. Of this amount the State had sold to private parties 58,830 acres above the forks. Of the 321,537 acres approved and certified under the grant below the Raccoon forks but 53,367 acres remained. These lands below the Raccoon fork at the contract price would scarcely more than cover the \$68,953 of indebtedness paid for the State by the company under the contract.

In addition to this the State received, under this contract, the salaries of its officers in charge of the improvement to-wit: The Commissioner and the Register and the Engineer, amounting to the further sum of \$42,330. To which add the \$20,000 paid to the State on the final settlement, and you have cash received from the Company, without any pay to them for the work, the sum of \$131,283.

On the 24th day of December, 1856, Mr. Manning, the Commissioner for the State, made a settlement with the Des Moines Navigation Company, and the parties drew up and agreed upon a statement of account between the State and the Company which was as follows:

Due the Des Moines Navigation Company for construction work to Dec. 1, 1856,.....	\$185,947,46
State indebtedness paid by them,.....	68,953,57
Salaries of State officers paid,.....	7,629,51
Engineer's salary paid,.....	34,700,00

Total,.....	<u>\$297,230,54</u>
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PAID THE COMPANY BY THE STATE.

May 14th, 1855, acres of land,.....	88,853,19
May 6th, 1856, " " " .....	116,636,54

205,489,73

At \$1,25 per acre amounts to.....	<u>\$256,861,50</u>
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Leaving balance due Company,.....	<u>\$40,369,04</u>
To which as agreed should be added the 20 per cent. provided for in the contract. This is estimated at	<u>\$45,655,40</u>

Making the amount then due,.....	<u>\$86,024,44</u>
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On the 5th of August, 1857, the Commissioner certified as due the Company the further sum of...\$35,000,00  
 December 1857, the State Engineer estimated to  
 the Company the further sum of.....\$88,258,43

Making a total due the Company,.....\$169,282,,87

By an act of the General Assembly, approved January, 1857, the State attempted to repudiate the contract of June 9th, 1854. This act was passed by the votes of members of the General Assembly whose immediate constituents were the least interested in the work upon the Des Moines River and in opposition to the votes and earnest protest of the representatives of the people residing in the Des Moines Valley.

Under the law it became the duty of the officers of the State to test the validity of the contract of June 9th, 1854, in the courts. A proceeding by mandamus was commenced by the Des Moines Navigation Company, against the Commissioner of the Des Moines River Improvement, and although the prayer of the petition was refused and the application defeated yet the Supreme Court of the State affirmed the validity of the contract, and declared the act of the General Assembly approved January 24, 1857, to be of no practical force and effect.

By joint committee of the two houses of the 8th General Assembly, a settlement was agreed upon between the State and the Des Moines River Company, and formal propositions for a settlement were made by the State to the Company by act of the General Assembly approved March 22d, 1858, and afterwards accepted by them. At the date of this settlement as above set out, the State had already certified to the Company 205,489,73 acres of land, and of the lands certified and approved under the grant of 1846, only 60,619 acres remained. At the contract price these would amount to \$75,774, which was nearly \$83,500 less than the acknowledged indebtedness to the Company. The State, however, claimed that the Company had not complied with the contract, in point of time, and that the great object of the contract, to-wit: the navigation of the river, remained unaccomplished. Under these circumstances, the State claimed as a condition precedent to certifying these remaining 60,619 acres of land, or of issuing patents for the lands before certified, that the Company should pay to the State for the use of the improvement the further sum of \$20,000, thus claiming as damages from the Company for its alleged failure to complete the work, the sum of about one hundred and three thousand five hundred dollars. The preamble to the act of 1858 waives any acknowledgment upon the part of any one as to where the fault of the various failures and misfortunes attending the work was justly chargeable. After a full investigation of the matters in controversy



between them, the parties concluded the settlement, the State making the proposition in the form of a solemn act of the General Assembly, and the Company accepted the same by resolution of its Directors, and by paying over the money. In pursuance of this settlement deeds were issued by the State to the Company for all the remaining lands then certified to the State for the purposes of the improvement, including those certified by the State to the Company before the settlement, and amounting in all to 266,109 acres, 53,367 acres only of which, as before stated, are below the Raccoon Forks of the River.

In this connection it may, perhaps, be of interest to the members of the General Assembly to know who are now the owners of the title thus made by the State, and what is the present condition of the lands.

It is perhaps well understood that the Raccoon Fork of the river is at the City of Des Moines, or rather that Des Moines is located at the Raccoon Fork.

As to the lands sold by the State, either to individuals or to the Des Moines Navigation Company, below this point, there is no trouble.

There are also 25,847 87-100 acres of land immediately next above this point, about which there is no trouble. These lands were sold and patented by the United States to individuals, prior to the Railroad grant of 1856, and though claimed by the State under the Des Moines River Grant of 1846; yet the State never claimed to interfere with the title of the purchasers, but merely to have lands in lieu thereof;—a moderation and propriety worthy of imitation by those who are now giving the State so much trouble.

Next above these lie the 58,830 acres sold by the Commissioner and Register, prior to the contract with the River Company. All these, of course, are in the hands of individuals, and upon them are some of the best improvements and finest farms in the Des Moines Valley.

The 212,742 acres above this point conveyed to the Des Moines Navigation Company, have passed into the hands of third persons, in the manner I shall presently explain. These lands, with others before mentioned, embrace nearly if not all the lands, within this five mile limits of the alternate Sections, lying between this point and Fort Dodge, and some immediately above that point. An explanation is necessary in regard to the sale of these lands by the Des Moines River Company. In order to raise the means adequate to their undertaking, the Des Moines Navigation Company issued and sold in the market the corporate bonds of the Company, secured by a trust deed binding all the lands of the Company, as fast as the same should be certified to them under their contract with the State.

At the same time they opened their land office in the State for

the sale of these lands to private parties and actual settlers. And in order to make their titles good to purchasers, it was provided in the deed of trust that upon the payment by the Company to the Trustee of three dollars per acre upon any of the lands either in money or in the bonds for which the trust-deed was security, that the Trustee should release the land from the operation of the trust-deed. During the years 1856 and 1857, the transactions in real estate became very active in our State and the Company disposed of large quantities of these lands by private sale in the manner before stated and very many of the purchasers have settled upon and improved their lands.

Some of the sales were made upon a partial credit, the Company retaining the legal title for the security of the unpaid portion of the purchase money and executing a contract of sale to the purchaser. Some of these contracts are still outstanding and are in various stages of completion.

After the settlement with the State in 1858, the Des Moines Company sold to its bond-holders all the remaining lands which had been deeded to them by the State, and also sold their interest in the lands before contracted, reciting the contract in their deeds, and thus making the individual bond-holder take the place of the Company in these contracts. Thus the bond-holders of the Company who advanced the money which paid the State indebtedness, and also the money which was expended on the improvement, now hold the legal title to these lands sold, but not entirely paid for, as the security for the payment of the balance due on these contracts of purchase.

I have made investigation of this question and present it here because a suggestion has been made that the State should make a distinction in regard to those who have dealt in these lands upon the faith of the title made by the State and should secure only the rights of actual occupants or settlers.

Aside from the doubtful morality of such an undertaking, I deem it, under the circumstances surrounding this case, as entirely impracticable. The inquiry into the merits of every purchase or transfer of this land, embracing as it does so many thousand acres, and numerous subsequent sales, and the attempt to adjust the nicely balanced equities of each individual, upon purely sympathetic considerations, is an undertaking which I would not recommend to the General Assembly.

After the settlement with the Des Moines Navigation Company, in 1858, the General Assembly attempted to provide for the completion of the locks and dams then in the course of construction at Croton, Plymouth, Bentonsport and Keosauqua, and to provide for the payment of the liabilities existing and to be incurred, and then to give the balance of the grant, when obtained, to the Keokuk, Ft. Des Moines and Minnesota R. R. Company.

In the act of settlement with the Des Moines Navigation Company, the State took an assignment of four construction contracts then outstanding between private contractors and the Des Moines Navigation Company for the construction of the work at the four points above named. Upon these contracts there was unpaid what was called back per centage, that is 15 per cent. of the estimates of work done under the contract, which was reserved as security for the completion of the contract. This back per centage the State assumed and agreed to pay in the settlement with the Navigation Company. The State also took an assignment of said contracts with all advantages and liabilities arising thereon, and per centage, except the company were obliged to pay the estimates then due. By this covenant I understand that the State assumed to see that the Company should not be made liable for a failure to carry on the work in the future under the contracts thus assigned. Nothing has been done on these contracts since their assignment to the State, except by Messrs. Brown and Allender, who became assignees of the contract at Bentonsport, and completed their dam, and what has been done by the mill owners at Keosauqua and Croton, in order to preserve their water power.

The contractors at Plymouth notified the Governor that they were ready to proceed, but nothing was done for want of any lands or funds. These contractors have since recovered judgments against the Des Moines Navigation Company for the back per centage, and perhaps for damages by reason of this neglect.

In the act of 1858, diverting the lands which should thereafter be certified to the State under the Des Moines River grant, the State reserved 50,000 acres of land to be applied in the completion of the contracts for the four locks and dams at the points before named, and for the purpose of paying off the debts. The second Section of the act also provided that the Keokuk, Ft. Des Moines and Minnesota R. R. Company should pay off the remaining liabilities of the improvement, and complete the locks and dams at points above named, under the contracts assumed by the State, and should receive in installments, the 50,000 acres of land at \$3 per acre as money was so paid or expended by them.

Since the date of said act, the Commissioner of the General Land Office has refused to certify to the State any further lands of the grant of 1846, for the improvement of the Des Moines River. Consequently, the Keokuk R. R. Company, not being able to derive the anticipated advantage from the act of the General Assembly of 1858, has refused to pay any money or do any work under the contracts for the construction of locks and dams assumed by the State.

In 1860, the General Assembly amended the law of 1858, designating the 50,000 acres of land reserved for the purposes aforesaid, as those next above the lands deeded to the River Company, and

when obtained, authorized the Register of the State Land Office to dispose of them for the purposes for which they had been set apart in the act of 1858.

At the December term thereof, 1859, the Supreme Court of the United States delivered an opinion in an agreed case of Litchfield against the Dubuque & Pacific Railroad Company, in the which it is decided that the grant of lands to Iowa in 1846, for the improvement of the Des Moines River, did not embrace any of the lands above the Raccoon Fork of the river, and that the acts of the Commissioner of the General Land Office, under the advice of the Attorney General of the United States, as well as the decision of the Secretary of the Treasury and of the President, did not confer upon the State of Iowa any title, under the grant of 1846, to those lands.

Because of this decision, I have not presumed to discuss the question as to the proper construction of the act of 1846, regarding it as thus settled by the weight of authority until reversed. With all due respect, however, to that authority, I desire to say, out of regard for the reputation of my official position, that I do not wish to be understood as concurring in that opinion, in any particular whatever, and more particularly in its geographical and topographical statements upon the length and character of the Des Moines River. It may be that the opinion of the Supreme Court of the United States, that there is no Des Moines River above the Raccoon Fork, may make it so in contemplation of law—but those who are compelled by their daily observation to know the facts in relation to it, might find some difficulty in maintaining the respect due to the Court, if such experiments upon their credulity were too often repeated.

I have carefully examined this case, and although it does decide directly the extent of the original grant to the State for the improvement of the river, it does not by any means decide that the Dubuque & Pacific Railroad Company has any title. This question the Attorneys for the Railroad Company seem carefully to have avoided submitting to the Court. In the agreed statement of facts, the Dubuque & Pacific Railroad Company was stated to be in possession, and the fictitious action was so framed that the plaintiff's title was alone put in issue.

The question I have heretofore suggested, whether or not these Des Moines river lands were not taken out of the operation of the grant of 1856 by the clause excepting all lands set apart by any competent authority for works of internal improvement, and the fact that they had been so set apart and withheld from sale by the Commissioner of the General Land Office, does not appear to have been presented to the Court, and certainly is not passed upon by it.

This is a very important consideration with those who are in possession of land under the deeds of the State, to which these Railroad Companies claim title. The State has not yet issued to these

Companies any deeds or certificates which are evidences of title to any of the lands in dispute under these conflicting grants, and my first recommendation on this point is, that the General Assembly shall prohibit either the Governor or Register of the State Land Office from so doing, and shall also so amend the law defining what shall be evidence of title in the Courts of this State in actions of right or of trespass, as to exclude anything else than a deed duly executed by the State in such cases.

Since the opinion of the Supreme Court in the case of Litchfield against the Dubuque and Pacific Railroad Company, the Congress of the United States has passed several enactments for the purpose of correcting the evils which this decision was likely to entail upon the State. The first act, approved March 3d, 1861, relinquishes to the State the right of the United States to the lands which had been certified to the State above the Raccoon forks of the Des Moines river. This would make good the titles made by the State to all these lands, except so far as at that time the Railroad Companies whose lines crossed the lands had acquired a vested right thereto. The title made by the State to all the lands lying outside of or rather between the fifteen mile limits of the Railroad grant became absolute by this act. The title also to all the lands deeded by the State lying outside of the six mile limits which had not been selected and approved and certified by the department in lieu of the disposed of lands within the six mile limits became perfect.

By act of Congress, approved July 12th, 1862, the grant of August 18th, 1846, was extended to the northern boundary of the State, and the State was authorized to select lands in lieu of those before disposed of by the United States for other purposes within the limits of the grants. In other words, in lieu of all alternate sections of lands sold by the United States or selected under Railroad or swamp land grants within the five mile limits up to the northern boundary of the State, the State should select of the public lands a like quantity anywhere within the State.

The Act also provides that if the State shall have sold and conveyed any portion of the lands lying within the limits of the grant, the titles to which have proved invalid, any lands which shall be certified to the State in lieu thereof by virtue of the provisions of the Act, shall enure to and be held as a trust fund for the benefit of the person or persons respectively whose titles shall have failed as aforesaid.

This Act also consents to the diversion made to the Keokuk, Ft. Des Moines and Minnesota Railroad Company as provided for in the act of the General Assembly of 1858.

This grant has been accepted by the State and 300,000 acres of indemnity lands selected under it, but these selections have not yet been approved and certified to the State. Neither has the Com-

missioner of the General Land Office yet certified to the State any land under this Act.

The Register of the State Land Office has in his Report recommended that the lands granted and selected by the State under this grant as indemnity lands be patented to the Rail Road Companies when received, acre for acre, as a consideration for the release by those Companies of any claim upon the lands selected by them within the five mile limits of the Des Moines River upon the alternate Sections. The justice and propriety of this proposition must strike every impartial mind, and if the Rail Road Companies have not already attempted to sell or disposed of these lands in such a manner as to leave a cloud upon the title, the State should insist in all good faith upon their acceptance of this proposition. I have, however, but little faith in any amicable arrangement with these Companies. The very fact that they have persisted in a claim which, if successful, must involve a large class of our citizens in ruin and may occasion civil war in our midst, and that too, upon a technical claim of right, in violation of the intention of the State that has dealt so liberally with them, is to my mind conclusive evidence that no other considerations than those of interest can reach them. Fortunately perhaps, for the State, this consideration can be brought to bear upon them.

The 8th section of the act of the General Assembly, approved July 15, 1856, makes the grant to these Companies upon the express condition "that in case either of said Railroad Companies shall fail to have completed and equipped seventy-five miles of its road within three years from the first of December next, thirty miles in addition each year thereafter for five years, and the remainder of their whole line in one year thereafter, or on the first of December, 1855, then and in that case it shall be competent for the State of Iowa to resume all rights conferred by the act upon the Company so failing, and to resume all rights to the lands hereby granted and remaining undisposed of by the Company so failing to have the length of road completed in manner and time as aforesaid."

Nearly if not quite all of these Companies failed in the first condition above named, unless the road constructed by them before the grant was made, is counted as a part of the seventy-five miles. The Dubuque & Pacific Road has obtained a release of this forfeiture by acts of the General Assembly, approved March 7, and March 26, 1860.

The second condition of the Grant which requires thirty additional miles of the road to be completed each subsequent year, I am advised, has not been complied with by any of these Railroad Companies. If these Companies, therefore, shall insist upon the law, let them have the full measure thereof until they shall be willing to do and accept of justice. The resumption of these grants will reinvest the State with all the title and right still remaining in the Rail-

road Company, and if any innocent purchasers or third persons have acquired any rights in these lands, the Act of resumption cannot affect their title.

The Railroad interests of the State are of great importance and I would not recommend any wanton act of disfavor to them. After the State shall have resumed the lands it will be necessary to dispose of them during the present Session of the General Assembly or they will revert to the United States before the meeting of the General Assembly in 1866. This should be done on such terms as will be just to all the parties interested, and as shall effectually secure the State against all trouble or liability either legal or equitable, growing out of any conflicting titles to any of the lands heretofore granted to her in trust.

If the State shall by this means succeed in accomplishing the recommendation of the State Register and have at her disposition the alternate sections of land upon the Des Moines River to the Northern boundary of the State, the titles to all the lands heretofore sold or deeded by the State to all parties, will be at once perfected. The title to the 50,000 acres set aside to meet the liabilities or debt, as hereinbefore set out, will also be made good, and the remaining lands as contemplated in the act of 1858, will go to the Keokuk Railroad Company.

Should the State however fail to complete the above arrangement, and shall fail to resume them, my first recommendation in regard to evidence of titles is the only remedy for the present, and the 300,000 acres of land selected as indemnity must be held by the State to meet any future contingencies arising.

I would also recommend a Commission to ascertain what further debts or liabilities have accrued against the improvement by reason of the undertaking of the State in assuming the contracts mentioned in the settlements with the Des Moines Navigation Company, carefully guarding against all claims which had otherwise matured at the date of the appointment of the last Commission and which were not presented to it.

With the exception of the claims of Brown & Allender, provided for by the last General Assembly, there is now no adequate provision of law for the liquidation of the claims audited by the Commission, under the act of 1860.

Of the amount audited to Jonas Houghton, I am unfortunately the owner of \$500 by assignment to me for services as his attorney in procuring the judgment originally against the Commissioner of the improvement. Under these circumstances I cannot consistently assume to advise you in relation to these claims.

The only remaining interest to be considered in connection with this complex business is that of the Keokuk and Fort Des Moines R. R. Company.

The diversion act of 1858 pledges the faith of the State to give

them what is left of the Des Moines River Grant, after discharging the other obligations growing out of the connection of the State therewith. In other words this company is the residuary legatee of the Des Moines River Improvement deceased.

The legislation in relation to that Company will of course be somewhat dependent upon the other remedies adopted. The last Act of Congress, however, gives to the State beyond question the alternate sections of land within five miles of the river, and above the limits of the railroad grants. The indemnity lands as already explained can not be given to any other purpose until the titles to the land already deeded by the State above the Racoon fork of the river is secured, to the grantees of the State. Aside from this, you only have the claims to provide for and the work assumed is under your control, as the Keokuk Railroad now declines the contract.

In conclusion, I ask the pardon of the Senate and House if I have made this communication tedious. Its length has been necessary because of the much legislation and numerous difficulties surrounding the subject. I may also repeat here that much that I have written may seem to be without the province of my official duties, but I have only written it because required by the language of your resolutions.

Very respectfully submitted.

CHARLES C. NOURSE.

Mr. Baylies moved that three hundred copies be printed for the use of this House. Carried.

A communication from Wm. Duane Wilson, Secretary State Agricultural College and Farm, presenting his report for the years of 1862 and 1863, was received and referred to committee on Agriculture.

The communication from the Clerk of the Supreme Court was taken up, and, on motion of Mr. Baylies, referred to committee on Judiciary.

The Senate File No. 13, "A bill for an Act to amend Sec. 2733, of Chap. 115 of the Revision of 1860, in relation to jurors and their appearance, and the substitute for Senate File No. 13, was taken up, and, on motion, was laid upon the table.

House File No. 2, "A bill for an Act entitled an act to pay the traveling and other incidental expenses of the District Judges in this State," was taken up, and, on motion of Mr. Moir, was laid upon the table.

Senate File No. 7, "A bill for an Act to change the time of holding County Courts in April and August," was taken up, with substitute bill, and, on motion, was referred to committee on Judiciary.

On motion, House adjourned.



TWO O'CLOCK P. M.

House met pursuant to adjournment.

Senate File No. 84, "A bill for an Act to authorize the State Treasurer to procure a safe for his office, and to sell the old safe," was taken up, and, on motion, referred back to committee on Engrossed Bills.

House File No. 42, "A bill for an Act entitled an act to amend Sections 4779 and 4780 of the Revision of 1860, relating to peremptory challenges in criminal cases," was taken up, and, on motion of Mr. Moir, was read a third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hixon, Helm, Horton, Holridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, Russell of Jones, Russell of Washington, Richards, Runyan, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—79.

Absent or not voting, Messrs. Andrews of Decatur, Bell, Burke, Brown, Christoph, Finkbine, Hildreth, Hurst, McMaken, Oliver, Sears and Stiles.

The bill passed, and the title was agreed to.

Mr. Cort asked that Mr. Christoph be excused from serving in this House the remainder of this week, which was granted.

House File No. 53, "A Bill for an act to provide for the appointment of Commissioners to settle with certain sureties of James D. Eads, late superintendent of Public Instruction, and conferring certain other powers upon said commissioners," was taken up with substitute.

Mr. Galland moved that the report of the committee recommending the passage of the substitute be adopted. Carried.

Mr. Hildreth offered the following amendment.

SECTION 6. This act being deemed of immediate importance shall take effect from and after its publication in the Daily State Register and Iowa Homestead, newspapers published in Des Moines, which, on motion, was adopted.

Mr. Merriam moved that the Bill be read the 3d time and put upon its passage. On the question, "Shall the Bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were Messrs. Andrews of Keokuk,

Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Dorr, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Vinton, Weare, Wolf, White and Mr. Speaker—81.

The nays were, none.

Absent or not voting, Messrs. Burke, Brown, Christoph, Davis, Elliott, Finkbine, Hurst, McMaken, Sears, Stiles and Van Sandt.

The Bill passed, and the title was agreed to.

House File No. 51, "A bill for an Act to provide for the appointment of a Commissioner of Emigration," was taken up, and, on motion, was laid upon the table.

House File No. 52, "A bill for an Act supplemental to an Act entitled an Act for the benefit of Railroad Companies, Sec. 1389, Revision of 1860," was taken up, and, on motion of Mr. Oliver, was read a third time, and put upon its passage. On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Carey, Campbell, Cort, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fuller, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—79.

Those gentlemen voting nay were, Messrs. Bell, Carbee, Fry.—8.

Absent or not voting—Messrs. Burke, Brown, Christoph, Finkbine, Hixon, Hurst, McMaken, Sears, Stiles, and Weare.

The bill was passed and the title was agreed to.

House File No. 34, "A bill for an Act to provide for issuing and serving certain legal processes on Sunday," was taken up, with report of committee recommending amendments.

On motion, the report of the committee was adopted.

On motion of Mr. Johnson, the bill was read a third time and put upon its passage. On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk,

Bereman, Bell, Buckham, Baylies, Campbell, Carbee, Close, Clark, Day, Davis, Dorr, Elliott, Feun, Garrett, Glendenning, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McCall, McCormick, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Potter, Runyan, Sanderson, Simpson, Sturgis, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolfe, White and Mr. Speaker—65.

Those gentlemen voting nay were, Messrs. Andrews of Decatur, Bruce, Bromley, Carey, Cort, Fry, Fuller, Green, McKnight, Russell of Washington, Richards, and Stanton.—12.

Absent or not voting—Messrs. Burke, Brown, Christoph, Darby, Finkbine, Galland, Hurst, Logan, Munsell, McMaken, McNutt, Pritchard, Russell of Jones, Sears, and Stiles.

The bill was passed and the title was agreed to.

House File No. 11, "A bill for an Act to repeal Chap. 11, acts of the extra session 8th General Assembly, entitled an Act for the relief of volunteers who have been or may be mustered into service of the United States Government," was taken up. On motion, read a third time and put upon its passage. On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Littler, Lindley, Lyons, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Potter, Russell of Washington, Richards, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—77.

Those gentlemen voting nay were, none.

Absent or not voting, Messrs. Burke, Brown, Christoph, Finkbine, Hurst, King, Logan, Lindsey, Merriam, McMaken, Pritchard, Russell of Jones, Sears, Stiles, and Vinton.

The bill passed, and the title was agreed to.

House File No. 19, "A bill for an Act to repeal Chap. 72, of acts of 3d General Assembly," with substitute bill, was taken up.

On motion, the substitute was adopted.

Mr. Bromley moved that the rule be suspended, and the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those voting yea were, Messrs. Andrews of Keokuk, Andrews

of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garret, Glendenning, Green, Gilchrist, Hale, Hildreth, Hixon, Helm, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Runyan, Sanderson, Simpson, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—89.

Those voting nay were, Messrs. Carbee, Cort, O'Brien, Richards and Paulk—5.

Absent or not voting, Messrs. Burke, Brown, Christoph, Finkbine, Galland, Gose, Horton, Hurst, King, Lindley, Merriam, McMaken, McCormick, McKnight, Sears, Sturgis, Stiles and Vinton.

The bill was passed and title was agreed to.

Mr. Carbee asked leave of absence for Mr. Vinton. Granted.

A motion to adjourn was lost.

Mr. Magill moved a call of the House, which was seconded.

The Sergeant-at-arms was ordered to bring in the absentees.

Mr. Cort moved to adjourn. Lost.

Mr. Russell of Washington moved that further proceedings under the call be dispensed with. Lost.

Mr. Russell of Washington moved that the House do now adjourn. The motion did not prevail.

Mr. Magill moved that further proceedings under the call of the House be dispensed with. Carried.

On motion House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
TUESDAY, February 2d, 1864. }

House met pursuant to adjournment.

Prayer by Rev. J. A. Nash.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

The Committee to whom was referred House File No. 60, "A Bill for and to extend the provisions of Article 4, Chapter 54, of the revision of 1860, so as to apply to the construction of Mill Races," beg leave to report that they have had the same under consideration, and recommend that it do pass.

N. L. VAN SANDT; For Committee.

The standing Committee on Sanitary Affairs to whom was referred "Resolution," requesting them to prepare for the use of the House of Representatives, a "detailed estimate of the amount necessary to pay the salaries and expenses of *State Sanitary Agents* and expenses of *State Board of Control*," beg leave to report that they have consulted with members of the "Board" and have been informed that it is the purpose of "the Board" to appoint one General Agent with a salary of.....\$1,200 00  
 Two Subordinate Agents, at a salary of \$600 each.....1,200 00  
 Also two (male) Army Agents at a salary of \$1,500 each..3,000 00  
 Also two female Army Agents at a salary of \$1,200 each..2,400 00  
 Also a General Agent, (Mrs. Whittenmyer) for Soldiers

Home, and salary of.....1,200 00  
 Traveling expenses of Agents.....4,000 00  
 Printing.....500 00

Total.....\$13,500 00

RUSSEL, of Washington, Chairman.

On motion, the report was laid upon the table, and ordered to be printed.

Mr. Russell, of Washington, from Committee on Sanitary Affairs, reported back House File No. 18, a Bill for an Act empowering the Board of Supervisors to make appropriations for the support of the families of deceased volunteers, and to legalize their acts in certain cases, and recommended that it be referred to Joint Committee on relief of soldiers families. Report adopted.

Mr. Russell, of Washington, presented the memorial of the "Board of Control" of the Iowa Sanitary Commission, and moved that it be referred to same committee. Carried.

The Committee on Elections, to whom was referred House File No. 35, "A Bill for an act providing for canvassing the votes for Senators and Representatives in the General Assembly, elected by districts composed of more than one county," have had the same under consideration, and have instructed me to report the same back to this House with the following amendment. Add after the word General Assembly in the thirteenth line of Section 3d in said Bill, the words, "And in case of a special election within five days after the receipt of such abstract," and so amended, recommend that the same be passed.

LITTLER, Chairman.

#### REPORTS OF SELECT COMMITTEES.

Mr. Broomley, from the Select Committee to whom was referred House File No. 47, "A Bill for an act granting the right of way to open and drain Coal mines," reported the same back to the House, and recommended that it do pass.

## RESOLUTIONS.

Mr. Van Sandt, by leave, introduced the following resolution, which was laid over under the rule.

*Resolved*, That the Adjutant General of the State of Iowa be requested to furnish to this House the cost of the Southern Border Brigade, by counties.

## MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the Honorable House of Representatives, that the Senate has concurred in the House resolution, authorizing the publication of an additional 1,000 copies of the Report of the Officers of the Hospital for the Insane, and in the resolution distributing certain volumes of the Supreme Court Reports, among the officers and members of the present General Assembly, with an amendment including the "Doorkeepers" among the recipients.

And has passed House File No. 78—A bill for an Act in relation to the collection of taxes in Lee county, without amendment.

Also, Senate File No. 9—A bill for an Act to amend Chapter 53, of the revision of 1860, entitled, "Corporations, other than those for pecuniary profit."

Also, Senate File No. 25—A bill for an Act to amend Sec. 30, of Chap. 29, of the laws of the Extra Session of the 9th General Assembly.

Senate File No. 19—A bill for an Act to repeal Sec. 2856, of the revision of 1860, and to provide a substitute therefor.

Senate File No. 52—A bill for an Act appropriating money for the State Library.

Senate File No. 78—A bill for an Act to repeal Chap. 39, of the laws of the Extra Session of the Ninth General Assembly.

In all of which the concurrence of the House is asked.

WM. F. DAVIS,  
Secretary of the Senate.

## INTRODUCTION OF BILLS.

Mr. Hale introduced House File No. 67, "A bill for an Act to amend an Act entitled an Act to provide for the appraisement of property sold under execution." Read a first and second time.

Mr. Bereman offered the following amendment:

"That the Act of the Eighth General Assembly of the State of Iowa, entitled an Act to provide for the appraisement of property under execution," be hereby repealed.

Mr. Nelson moved that the bill and amendment be referred to committee on Judiciary. The motion prevailed.

## RESOLUTIONS.

Mr. Paulk moved that the House take up the resolution relative to the purchase of a dictionary for the use of this House. The motion prevailed. On motion, the resolution was adopted.

Mr. Andrews of Keokuk moved that the rules be suspended, and that House File No. 64, "A bill for an Act to authorize the Governor to furnish tourniquets for the use of the soldiers," be taken up. Carried.

Mr. Russell of Washington offered the following amendment to Sec. 1: "Provided, that not more than five be furnished for each company."

Mr. Fenn moved to amend the amendment by striking out "five" and inserting "ten."

Mr. Knox moved that the whole matter be laid upon the table. The motion prevailed.

Senate File No. 9, "A bill for an Act to amend Chap. 53, of the Revision of 1860, entitled corporations other than those for pecuniary profit," was taken up, read a first and second time, and referred to committee on Incorporations.

Senate File No. 25, "A bill for an Act to amend Sec. 30, of Chap. 29, of the laws of the extra session of the 9th General Assembly," was taken up, read a first and second time, and referred to committee on Elections.

Senate File No. 19, "A bill for an Act to repeal Sec. 2856, of the Revision of 1860, and to provide a substitute therefor," was taken up, read a first and second time, and referred to committee on Judiciary.

Senate File No. 52, "A bill for an Act appropriating money for the State Library," was taken up, read a first and second time, and referred to committee on State Library.

Mr. Russell of Jones offered the following resolution:

*Resolved, by the House of Representatives,* That from and after the 2d day of Feb., 1864, the members of this House shall be required to prepay the postage on their own letters out of the amount of stamps now allowed to each member, and that no further account be authorized with the Post Master of this city for letter postage of members.

Mr. Paulk moved that the resolution be laid upon the table. Carried.

On motion, House adjourned.

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Two o'clock, P. M.

The House met pursuant to adjournment.

The following communication was received from the Governor at the hands of his private Secretary, Mr. Orwig:

EXECUTIVE OFFICE,  
DES MOINES, Feb. 2d, 1864. }

*Gentlemen of the House of Representatives :*

The resolution of your honorable body, calling upon me to answer certain interrogatories regarding the conduct and action of the several Railroad Companies, which are beneficiaries of the land grant made to this State by Act of Congress of May 15th, 1856, was duly presented. In reply thereto, I regret to say, that I am unable, from the meagre data within my reach, to answer your inquiries as fully as the grave importance of the information sought for demands.

I have carefully examined all the records, papers and correspondence, relating to the subjects embraced in your resolution, to be found in the public offices; and shall give you, as briefly as possible, the result of my investigations.

In the endeavor to furnish you the information desired, the important fact has been developed, that these immense transactions, so vital to the best interests of our State, have, for a series of years, been conducted in a manner contrary to my understanding of the law on the subject, and resulting, to a great extent, in a wrongful absorption of this munificent grant. Good faith to you, and to the people, seems to demand a plain exposition of these matters; and I know of no consideration which should deter me from a faithful and thorough performance of the duty imposed.

I have failed to find sufficient evidence to justify the conclusion, that any of the Companies designated have fully complied with the plain conditions of the several Acts by which they became the beneficiaries of this generous donation. If the evidence of their compliance is extant, it is due, alike to them and to the people, that it be deposited here, in its appropriate place, where it will be accessible to all, and remove all grounds for doubting the legality of their transactions.

A brief reference to the Act of Congress making this grant to the State, and the Act of the General Assembly accepting it, is necessary, in order that we may fully understand its present condition, and have sufficient light to guide us in the investigation.

Actuated by a most commendable desire to advance the interests of our State, and facilitate the rapid growth and development of the country, Congress passed an Act, approved March 15th, 1856, "making a grant of lands to the State of Iowa, in alternate Sections, to aid in the construction of certain Railroads in said State." The following is a copy of the first section of said Act:



"SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That there be and is hereby granted to the State of Iowa, for the purpose of aiding in the construction of Railroads from Burlington, on the Mississippi river, to a point on the Missouri river, near the mouth of Platte river; from the city of Davenport, via Iowa City and Fort Des Moines to Council Bluffs; from Lyons city, northwesterly to a point of intersection with the main line of the Iowa Central Air Line Railroad, near Makquoketa, thence on said main line running as near as practicable to the forty-second parallel, across the said State of Iowa to the Missouri river; from the city of Dubuque to a point on the Missouri river, near Sioux City, with a branch from the mouth of the Tete Des Morts, to the nearest point on said Road, to be completed as soon as the main Road is completed to that point, every alternate section of land, designated by odd numbers, for six sections in width on each side of said road. But in case it shall appear that the United States have, when the lines or routes of said roads are definitely fixed, sold any sections or any parts thereof, granted as aforesaid, or the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents to be appointed by the Governor of said State to select, subject to the approval of the Secretary of the Interior, from the lands of the United States nearest to the tiers of sections above specified, so much land in alternate sections or parts of sections, as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the rights of pre-emption have attached as aforesaid; which lands (thus selected in lieu of those sold and to which pre-emption rights have attached as aforesaid, together with the sections and parts of sections by odd numbers as aforesaid, and appropriated as aforesaid,) shall be held by the State of Iowa, for the use and purpose aforesaid: *Provided*, That the land to be so located shall in no case be further than fifteen miles from the lines of said roads, and selected for and on account of each of said roads: *Provided further*, That the lands hereby granted for and on account of said roads severally, shall be exclusively applied in the construction of that road for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatsoever: *And provided further*, That any and all lands heretofore reserved to the United States by any Act of Congress, or in any other manner by competent authority, for the purpose of aiding in any objects of internal improvement, or for any other purpose whatsoever, be and the same are hereby reserved from the operations of this Act, except so far as it may be found necessary to locate the routes of said Railroads through such reserved lands; in which case the right of way only shall be granted, subject to the approval of the President of the United States."

It will be observed that this Grant was made to the *State*, for the purpose of aiding in the construction of Railroads, between the points designated on the Mississippi and Missouri rivers. And by the *third* section of this Act, it is enacted that the said lands hereby granted to the said State, shall be subject to the disposal of the Legislature thereof, for the purpose aforesaid *and no other*; thus leaving it for the Legislature to select the particular Companies which were to become the beneficiaries of the Grant, and to prescribe the conditions upon which they should have their right and title to the lands.

The lands so granted, were embraced in the alternate sections designated by odd numbers, for six sections in width on each side of said roads; with the further provision that, if it should appear that any of said odd sections had been previously disposed of by the United States, or pre-emption claims had attached thereto, lands in lieu thereof might be selected, and located within a distance of fifteen miles from the established lines of each of said roads; and the Governor of the State is authorized to appoint agents to select, subject to the approval of the Secretary of the Interior, the requisite number of sections, within these extended limits.

The alternate sections, designated by even numbers, were reserved to the United States; and in order that no loss should result to them; in consequence of making this Grant to us, the price of these reserved sections was increased to double the minimum price of the public lands when sold; and none of said lands become subject to private entry, until they have been first offered at public sale, at the increased price. In contemplation of the great advantages to be secured in the construction of these roads through the State, in facilitating the settlement and improvement of the country adjacent to them, Congress conceived that the value of these lands would be thereby enhanced, and command a ready sale at the additional price fixed upon them. And thus while extending to Iowa this magnificent favor, no injustice would be done to the country at large.

This being the primary object of the grant, it is clear that Congress intended the lands should be selected adjacent to and in advance of the several roads, as they progressed towards completion, in order to give the reserved sections the enhanced value contemplated, and bring them into market.

The fourth section of the act provides, in substance, that the lands thereby granted to the State shall be disposed of by the State *only*, in the following manner, to-wit: A quantity of land, not exceeding one hundred and twenty sections for each of said roads, and included within a continuous length of twenty miles thereof, may be *sold*; and when the Governor of said State shall certify to the Secretary of the Interior that any twenty continuous miles of any of said roads are completed, then another portion of the lands hereby granted, not exceeding one hundred and twenty sections, for such

road having twenty continuous miles completed as aforesaid, and included in a continuous length of twenty miles thereof, may be *sold*; and so on, from time to time, until said roads are completed. And if any of said roads are not completed within ten years from the date of the grant, no further sales shall be made, and the lands unsold shall revert to the United States.

Each road is entitled to one hundred and twenty sections *before* its construction is commenced, and a like number of sections for every continuous twenty miles of road completed. No time is specified within which these twenty miles shall be constructed; but if the entire line of each is not completed to the points designated on the Missouri River, within ten years, no further sales shall be made to the State, and our right to the lands remaining unsold becomes forfeited.

For the purpose of accepting this grant, and executing the trust conferred upon the State by this act of Congress, a special session of the General Assembly was convened at Iowa City, on the 2d day of July, 1856, at which an act was passed entitled as follows:

"An act to accept the grant and carry into execution the trust conferred upon the State of Iowa by an act of Congress entitled 'An act making a grant of land to the State of Iowa, in alternate sections, to aid in the construction of railroads in said State,' approved May 15th, 1856."

The lands granted to the State by said act of Congress, were by this act granted to the following companies, respectively, to-wit:

Burlington & Missouri Railroad Company; Mississippi & Missouri Railroad Company; Iowa Central Air-Line Railroad Company; Dubuque & Pacific Railroad Company.

The only part of this act of the General Assembly to which I now deem it important to direct your attention, is the eighth section thereof, which reads as follows:

"SECTION 8. The grants aforesaid are made to each of said companies, respectively, upon the express condition, that in case either of such railroad companies shall fail to have completed and equipped seventy-five miles of its road within three years from the first day of December next, thirty miles in addition in each year thereafter, for five years, and the remainder of their whole line of road in one year thereafter, or on the first day of December, A. D. 1865, then and in that case it shall be competent for the State of Iowa to resume all rights conferred by this act upon the company so failing, and to resume all rights to the lands hereby granted and remaining undisposed of by the company so failing to have the length of road completed in manner and time as aforesaid."

The conditions upon which the grants were made to the above named companies, are all contained in the foregoing section, and are plainly expressed. First, each of said companies shall complete seventy-five miles of its road by the first day of December, 1859.

Second, and in addition thereto, thirty miles in each year thereafter, for five years—making in all 225 continuous miles of road. Third, the remainder of the whole line of each road in one year thereafter, or on the first day of December, 1865.

If any of said companies fail to perform either of these express conditions, then and in that case it shall be competent for the State to *resume* all rights conferred by said act upon the company so failing, and to resume all rights to the lands thereby granted, and remaining *undisposed* of by the company so failing to have the *length* of road completed, in manner and *time* as therein required.

Such being the origin, objects and conditions of the grant, let us now inquire how far these companies have, respectively, complied with the law.

#### MISSISSIPPI AND MISSOURI RAILROAD COMPANY.

About the first day of January, 1856, this company had their road completed from Davenport to Iowa City, a distance of 54 miles. This was four and a half months before the act of Congress granting these lands to the State, was passed. On the 25th day of August, 1859, and before any part of this road had been constructed west of Iowa City, a certificate was filed, stating that this company had completed 40 miles of their road, and that they were entitled to 360 sections of land—being the 120 sections allowed by the law, prior to the commencement of the road, and 240 sections for the 40 miles which they assumed to have constructed under the law, up to that date.

A little more than one year after this transaction took place, the affidavit of Peter A. Dey, an employee of this company, was filed, stating that 80½ miles of their road had been completed; whereupon another certificate was made, that the company are entitled to 240 *additional* sections of land; making in the aggregate six hundred sections claimed by the company, when only 30½ miles of road—being the distance from Iowa City to Marengo—had been constructed since the act of Congress of May 15th, 1856.

Up to the present time, this company have not completed seventy-five miles of their road, as contemplated by law; and they have, therefore, entirely failed to comply with any of the conditions prescribed in the eighth section of the act of the General Assembly, upon which they accepted the grant. The only ground upon which they can base their claim to these lands is, by receiving credit for the 54 miles of road completed before the act of Congress was passed. And even this would not bring them within the terms prescribed by the General Assembly, because they did not have seventy-five miles of road constructed, including the 54 miles previously completed, until the autumn of 1860.

Was the mode of computation adopted in favor of this Company as the basis for procuring certificates for the lands, in conformity

with the act of Congress making the grant? To my mind, the intent and object of the grant are too plainly expressed to furnish any reasonable ground justifying such a construction. In defining its object, the act declares that these lands are "granted to the State of Iowa, for the purpose of *aiding* in the *construction* of certain Railroads," and not for the different purposes of aiding in the liquidation of debts incurred in the construction of roads previously completed. And to render this intention still more manifest, the second *proviso* of the first section, as above given, declares that the land so granted shall be *exclusively* applied to the *construction* of that road, for and on account of which such lands are heroby granted; and shall be disposed of *only as the work progresses*, and the same shall be applied to no other purpose whatever.

If these views are correct, the conclusion is unavoidable, that the certificates made in favor of this Company were obtained in direct violation of law. By whom, or upon what authority, a different construction was given to the unequivocal language of this act, I am not advised.

#### BURLINGTON AND MISSOURI RIVER RAILROAD COMPANY.

To some extent, the action of this Company in obtaining certificates for lands, has been similar to that pursued by the company above referred to.

A portion of their road was completed and in running order to a point between Burlington and Mount Pleasant, prior to the act of Congress, but the exact number of miles I have not been able to ascertain. On the 26th day of February, 1858, Edward L. Baker, President of this Company, made affidavit in Boston, that 28 miles of their road had been completed, which, of course, embraced that portion of it previously constructed. By virtue of this affidavit, 294 sections of land were certified to the Company November 9th, 1859, and on the 27th day of December following, 68 additional sections were certified to them.

In September, 1859, this road was completed to Ottumwa, a distance of 75 miles from Burlington; and no further extension of the road has been made since then. By stopping at Ottumwa, the Company failed in two material points to comply with the conditions of the grant. *First*, by not constructing 75 miles of their road *after* the grant was made to the State; and, *Second*, in failing to construct 30 additional miles, in each year, since December, 1859.

The fact should not be concealed, that in the face of many and great embarrassments, this Company persevered in the prosecution of their work, and reached the Des Moines River within a reasonable time. Having reached that point and obtained under an improper construction of the grant, a certificate for their lands, they now appear to be satisfied. Whether they intend to push forward

their work, or have any expectation of completing their road to the Missouri River by December, 1865, as they are required to do by law, I am not informed.

Another, and more material departure from the plain meaning of the grant has been committed in the location of their lands. Instead of selecting them in advance of their road, in consecutive order, as contemplated by law, they commenced their selections on the extreme western border of the State, about 180 miles distant from the terminus of their road. So far as the Western counties are concerned, this road might as well have remained an idle scheme in the minds of those who conceived it. Neither the counties in which these lands are situated nor the United States have derived any of the benefits intended to be secured to them, by the diversion of these lands from the ordinary mode of entry and sale. By thus withdrawing them from market and affording no equivalent, in the form of railroad advantages, the entire transaction has been a positive detriment to the best interests of that portion of our State.

An additional quantity of 56,221 acres, has since been certified to the State for the benefit of this road, but most of it is claimed by the counties as swamp lands, and suits are now pending in which the question will be determined in due time. These lands are also claimed by the Company.

#### IOWA CENTRAL AIR-LINE RAILROAD COMPANY.

This company, having failed to comply with the provisions of the law making it one of the recipients of the grant, the General Assembly, by Act approved March 7th, 1860, resumed the lands designed for its use; and by an Act approved March 26th, 1860, transferred the same to the

#### CEDAR RAPIDS AND MISSOURI RIVER RAILROAD COMPANY.

The terms and conditions upon which this transfer was made have been duly accepted by the last named company, by a proper instrument, filed in the office of the Secretary of State, under date of June 19th, 1860.

On the 1st day of December, 1861, the affidavit of W. W. Walker, chief engineer of said road, was filed, stating that forty miles of the road were completed according to law; and on the 21st day of the same month another affidavit was filed, showing the completion of 29 additional miles of said road.

I am informed that this company are pushing forward their road with much vigor, and that it is now completed to State Centre, in Marshall county. But no lands have been certified to them, because of their failure to build the branches between Lyons and Clinton, and between Marion and Cedar Rapids, as required by the 6th

and 7th section of said Act. Until these conditions are performed they will not be entitled to their lands.

#### DUBUQUE AND SIOUX CITY RAILROAD COMPANY.

There is no data at my command from which I can determine how far the construction of this road had progressed, prior to May 15th, 1856. But I find a certificate on file, dated April, 1858, showing that the company had completed 40 miles of their road, and that they were then entitled to the accruing benefits and emoluments; another certificate, dated November, 1859, certifying to the completion of 20 miles additional; a third one, dated March 2d, 1860, showing the completion of the fourth 20 continuous miles; and a further certificate, dated April 25th, 1860, certifying to the completion of the fifth 20 continuous miles of said road.

It will be perceived that, after giving this company credit for all the road they claim to have constructed, they still fail to have 75 miles completed within the *time* fixed by law; but this defect was remedied by act of the General Assembly, approved March 7th, 1860. But the company are still in default, having failed to complete the additional 30 miles, in each year, after December, 1859.

#### AGENTS.

I have been unable, after diligent search, to find any record, or evidence of any kind, showing the appointment of agents by the Governor to select lands within the limits of this grant, as authorized by the first section of the Act of Congress and of the sixth section of the Act of the General Assembly, relating thereto; and, therefore, am not able to inform you by whom, or in what manner, the lands claimed by the companies have been selected, or whether they were selected in the manner prescribed by law. I presume, however, that agents were duly appointed.

#### SALES AND CERTIFICATES.

There are some other questions connected with the sale and certification of these lands, which are, in my opinion, of vital importance, not only to the railroad companies, but to all who may purchase and claim title under them.

The act of Congress gives the disposal of these lands to the Legislature, and confers upon the *State* power to sell them. In making this grant to the State, Congress took no cognizance of the particular companies, nor was the title to these lands vested in the State. All that Congress evidently intended was to constitute the State a trustee, with the power of sale upon the performance of certain conditions precedent, for the purpose of aiding in the construction of these several roads; and a sale of the lands is necessary to a proper execution of the trust.

Was the act of the General Assembly of July 14th, 1856, transferring the rights of the State in these lands to the railroad companies, upon the conditions therein expressed, a *sale* according to the terms and meaning of the grant? Such seems to have been the interpretation given to this act by the parties, but with what propriety, it is not my province to determine. Was it competent for the State to delegate this fiduciary power to these companies?

If this interpretation be correct, it is still important to inquire, whether the proper mode has been adopted in selecting and certifying these lands to the companies; for this is the foundation of their title to the lands, and of all who may purchase from, or claim under them. The steps required to be taken in selecting and certifying these lands to the State, have already been explained, but the act of the General Assembly prescribes no mode for certifying them to the companies. This, in my opinion, is a grave defect in the law, and should be amended.

In the various certificates above referred to, I find that no regular form has been followed. The one used by Gov. Lowe in certifying lands to the Burlington and Missouri River Railroad Company is copied into the last biennial report of the State Register. (See page 67.) This certificate is *attached to the list* of lands claimed to have been selected for this company, and is doubtless the correct form. I find copies of other certificates, issued by both Governors Lowe and Kirkwood, addressed to the Secretary of the Interior, certifying to the extent of road completed from time to time by the different companies, which are correct so far as the interests of the State are concerned. But is not something more needed to complete the right and title of these companies to the lands selected?

The only certificates attached to these lists, except the one above referred to, are those of the Commissioner of the general land office, approved by the Secretary of the Interior, stating, in substance, that the lands therein described were selected by agents appointed by the State of Iowa, and that said lands are "outside of the six and within the fifteen miles limit," as prescribed by the Act of Congress, and within the line of the particular railroad. But there is no certificate or statement from any one attached to these lists, showing the completion of the road in manner and time as required by law, and no evidence whatever that any particular company is entitled to the lands selected and described.

What evidence have we, then, that these companies are entitled to the lands they claim, and will they, and their grantees, be able to maintain their titles when tested in the courts? I suggest, therefore, that it would be for the interest of all parties, to have some definite mode prescribed by law, for vesting the titles to these lands in the companies, and thereby avoid trouble and litigation.

From the foregoing statements, which I believe to be accurate, your honorable body will perceive, that all of the four companies,



upon whom this grant was conferred by the General Assembly, have failed to comply with the provisions of the Act of July 14th, 1856, and that there is no reasonable probability that their roads will be completed, to the Missouri river, by the first of December, 1865, as required in said Act, nor is it at all likely, from present appearances, that they will be able to do so even by May, 1866, as required by the Act of Congress granting these lands to the State. And should they fail, in this latter respect, all the lands embraced in the grant, and remaining unsold, will revert to the United States. Without further legislation by Congress, it is obvious that we are not only in danger of losing these lands to the railroad companies, but also to the State.

The importance of this subject, in its present aspects, cannot be over-estimated; and immediate action should be taken to avoid a calamity now so imminent.

#### RESUMPTION.

In consequence of the failures already made by these several companies, to perform the conditions of the act of the General Assembly, it is undoubtedly competent for the State to resume all rights in these lands granted to them, and which remain unsold. This being the point at which we have arrived, the immense and varied interests involved in the question, demand that we shall take our soundings calmly, and act upon them with due deliberation.

In view of all the circumstances, would absolute resumption be wise and just? Upon this subject, I am free to confess, that I am unable at this time, to make any definite recommendation, of measures which would be entirely satisfactory to my own mind, but I do advise you to take such action only, as you may consider necessary to fully protect the rights and interest of our citizens, and at the same time be just and liberal towards these delinquent Companies.

It is eminently proper that you should be reminded of the many serious embarrassments, amounting to almost insurmountable difficulties, which have beset these and all other western Companies, in the prosecution of Railroad enterprises. The monetary crisis of 1857, entirely unforeseen when these Grants were made, fell with peculiar force upon the whole country, and rendered the procuring of means, for the construction of public improvements, a matter of exceeding difficulty. Private and public enterprises alike bowed to the storm. Corporations and individuals, all over the land, became the victims of an expanded and over-burdened credit system, and were buried in its ruins. And before we had fairly recovered from these disasters the present war burst upon the country, again deranging its financial concerns and diverting trade and commerce from their legitimate channels. The laboring population were

called into the public service, and all the materials needed in the construction of railways went up to almost fabulous prices.

Time need not be consumed in endeavoring to impress upon your minds the importance and utility of railroads, in promoting the welfare of our State. Sound policy requires that we should keep this steadily in view, and resist all demands for such measures as are calculated, in their results, to seriously impede the progress of our railroad enterprises. Yet, imperative as these considerations are, we should not overlook the importance of imposing suitable restrictions upon these monopolies, and require of them strict accountability, and a faithful performance of their legal obligations.

The insatiate thirst for railroad supremacy, which has so effectually impressed its iron will upon some of the older States, has not yet been developed in Iowa, but, warned by their example, let us throw around these corporations, while in comparative infancy, such restraints as will enable us to control their actions after they shall have reached the fullness of their strength.

Entertaining these views, I shall co-operate with you in adopting such measures as may be deemed expedient and necessary to relieve these companies from the consequences of their failures, and upon such conditions as will secure to all our citizens, having just claims upon these lands, full and complete justice.

W. M. STONE.

Mr. Russell, of Jones, moved that the resolution introduced by him, relating to the franking of letters, be taken from the table.

On the question, "Shall the resolution be taken up?" the yeas and nays were demanded, and ordered, resulting as follows:

Those gentlemen voting yea were, Messrs. Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Carey, Campbell, Carbee, Clark, Day, Darby, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Gose, Gilchrist, Helm, Horton, Holdridge, Jeffries, King, Lathrop, Littler, Merriam, Magill, Meissner, Mills, Moir, McCall, McCormick, McKnight, Russell of Jones, Ranyan, Stanton, Skiles, Spurrier, Thompson, Van Sandt, Wolf and Mr. Speaker—45.

Those gentlemen voting nay were, Messrs. Andrews of Keokuk, Bell, Burke, Cort, Close, Davis, Green, Hale, Hixon, Joy, Johnson, Knox, Latham, Logan, Lindley, Lindsey, Lyons, Maxwell, Munsell, McNutt, Nelson, Oliver, O'Brien, Perry, Pritchard, Potter, Russell of Washington, Richards, Parker, Paulk, Sanderson, Simpson, Sturgis, Smith, Sweet, Weare and White.—37.

Absent or not voting, Messrs. Brown, Christoph, Finkbine, Hildreth, Hurst, McMaken, Sears, Stiles and Vinton.

The motion prevailed.

Mr. Magill moved that the resolution be indefinitely postponed. Carried.

The communication from the Governor was taken up.

Mr. Bereman moved that it be laid upon the table and that one thousand copies be printed. Carried.

Senate File No. 78, "A bill for Act to repeal Chapter 39, of the laws of the Extra Session of the Ninth General Assembly," was taken up. Read a first and second time and referred to committee on Military Affairs.

#### BILLS ON SECOND READING.

House File No. 15, "A bill for an Act empowering Township Trustees to appoint certain township officers," was taken up, with the substitute offered by Committee, and read.

On motion, the substitute bill was adopted.

Mr. Hale moved that the Rule be suspended, the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gilchrist, Hale, Hixon, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, Nelson, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skilea, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White, and Mr. Speaker—79.

The gentleman voting nay was, Mr. Oliver—1.

Absent or not voting, Messrs. Bell, Burke, Brown, Christoph, Finkbine, Gose, Hildreth, McMaken, McKnight, Sears, Stiles, and Vinton.

The bill was passed and the title was agreed to.

House File No. 58, "A bill for an Act relating to the branches of learning to be taught in the State University, and further to endow the same," was taken up and referred to committee on Agriculture.

Substitute for House File No. 16, "A bill for an Act to regulate mills and mill owners," was taken up.

Mr. Andrews, of Keokuk, moved to amend as follows: Strike out the words one-sixth and one-fifth, in sixth line of section three, and insert the words "one-seventh" and "one-sixth." Motion lost.

Mr. Knox moved to amend by striking out section third. Lost.

Mr. Thompson moved to amend section third, by striking out the words, "other grain," in the third and sixth line of section third, and inserting the words, "corn or buckwheat," and strike out section sixth. Carried.

Mr. Bereman moved to amend section third, by striking out the words in third line, "shall for such grinding and bolting be entitled to take." Carried.

Mr. Glendenning moved to amend by adding after the word "buckwheat," in the third and sixth lines of third sections, the words, "and rye." Lost.

Mr. Latham, moved to amend by striking out the word "their" in the first line of Sec. 5, and insert the word "his." Carried.

Mr. Bereman moved to amend section five by striking out in lines four and five of that section, the words "such fine, when paid, shall be for the use of the school fund of the county in which the offense has been committed." Carried.

Mr. Johnson moved to amend as follows: "Provided, that any custom mill which shall be propelled for a portion of the year by steam, and a portion of the year by water, shall, for the portion of time during which said mill shall be propelled by steam, be considered a steam mill, and for that portion of time during which said mill shall be propelled by water, it shall be considered a water mill, for all purposes of this act."

Lost.

Mr. Bell moved that the bill be read a third time and passed. The motion prevailed.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Cort, Close, Darby, Dorr, Elliott, Feun, Fuller, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hixon, Helm, Horton, Jeffries, Joy, King, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, McCall, McCormick, Oliver, O'Brien, Perry, Pritchard, Potter, Russell of Washington, Runyan, Sander-son, Simpson, Sturgis, Stanton, Skiles, Spurrier, Thompson, Weare, Wolfe, White and Mr. Speaker—62.

Those gentlemen voting nay were, Messrs. Bereman, Clark, Davis, Fry, Hale, Holdridge, Johnson, Knox, Mills, Moir, Nelson, Parker, Paulk, Russell of Jones, Richards, Smith, Sweet, and Van Sandt—18.

Absent or not voting—Messrs. Brown, Christoph, Day, Finkbine, Hildreth, Hurst, McMaken, McNutt, McKnight, Sears, Stiles and Vinton.

The bill passed, and the title was agreed to.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the Honorable House of Representatives, that the Senate has adopted the following Joint Resolution:

*Resolved*, By the General Assembly of the State of Iowa, that John B. Gough be and he is hereby invited to visit Des Moines and favor the citizens of this city with on or more Lectures during the present session of the General Assembly.

And has amended the House resolution approving the policy of allowing our soldiers to vote for Presidential Electors, &c., by striking out the words, "Resolved by the House of Representatives, the Senate concurring," and inserting in lieu thereof, the words, "Be it Resolved by the General Assembly of the State of Iowa," in all of which the concurrence of the House is asked.

W. F. DAVIS, Sec. Senate.

On motion of Mr. Pritchard the concurrent resolution relative to inviting John B. Gough to lecture to the citizens of Des Moines, was taken up.

Mr. Magill moved to amend by striking out the words "citizens of this city" and insert the words, "this General Assembly." Lost.

Mr. Andrews of Keokuk, moved that the whole matter be referred to Committee on Intemperance, last.

Mr. Russell of Washington, offered the following as a substitute for the Senate resolution.

*Resolved*, That the use of this Hall is hereby tendered to John B. Gough to deliver a lecture on the subject of Intemperance.

The substitute was adopted.

The motion to adopt the Senate resolution, was lost.

Mr. Glendening moved to reconsider the vote by which the resolution was lost. Carried.

Mr. Latham moved to reconsider the vote by which the substitute was adopted. Carried.

The motion to adopt the substitute was lost.

Mr. Davis offered the following as a substitute for Senate resolution :

*Resolved*, By the General Assembly of the State of Iowa, that J. B. Gough is respectfully invited to address this General Assembly upon the subject of Temperance.

Mr. Oliver moved to amend by striking out the words "the subject of Temperance." Carried.

On motion, the substitute as amended, was adopted, and the resolution as amended, prevailed.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the Honorable House of Representatives, that the Senate has passed House Substitute for House File No. 19—A bill for an Act to repeal Chapter 72, of the Acts of the Third General Assembly—without amendment—and has ordered the publication of 300 copies of the opinion of the At-

torney General upon the subject of the Des Moines River Lands and conflicting interests therein.

The Senate has also passed Senate File No. 48—A bill for an Act to provide for reporting the decisions of the Supreme Court of this State.

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary.

The Senate amendment to the resolution relating to soldiers' voting for Presidential Electors, was taken up, and, on motion, was concurred in.

Mr. Wolf offered the following resolution, which, on motion, was adopted:

*Resolved*, That the use of this Hall be granted to Prof. Spencer, President of State University, for the purpose of delivering a free lecture on Wednesday evening, 3d inst. Subject, "Footprints of Foreign Travel."

On motion, House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
WEDNESDAY, February 8d, 1864. }

House met pursuant to adjournment.

Prayer by the Rev. J. A. Nash.

Journal of yesterday read and approved.

Mr. Holdridge, from committee on Engrossed Bills, reported as follows:

Your committee on Engrossed Bills, to whom was referred Senate File No. 84, "A bill for an Act to authorize the State Treasurer to procure a safe for his office," have examined the same, and find it correctly engrossed.

D. D. HOLDRIDGE, Chairman.

Mr. Oliver moved that the rule be suspended, and that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hixon, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey,

Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Richards, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—78.

The nays were, Russell of Washington—1.

Absent or not voting, Messrs. Andrews of Decatur, Burke, Brown, Christoph, Finkbine, Hale, Hildreth, Hurst, McMaken, Russell of Jones, Sears, Stiles and Vinton.

The bill passed and the title was agreed to.

#### PETITIONS.

Mr. Elliott presented the petition of A. Gleason and eighty-seven others, praying for a law to restrain stock from running at large. Referred to committee on Agriculture.

Mr. Simpson presented the bill of M. L. Divine for brooms. Referred to committee on Claims.

Mr. Van Sandt presented the petition of John Whitcomb and other citizens of Page county, praying for an amendment to the School Law by increasing the duties of the County Superintendent. Referred to committee on Schools and Universities.

Mr. Hixson presented the petition of Wm. Page, and other citizens of Marshall County, praying that the Orphan Asylum may be located at Marshalltown. Referred to committee on Charitable Institutions.

Also, a similar petition from the citizens of Legrand, which was referred to the same committee.

#### REPORTS OF COMMITTEES.

The committee on the Judiciary, to whom was referred Senate File No. 18, "A bill for an Act to increase the number of the Judges of the Supreme Court, and for other purposes," have had the same under consideration, and a majority of said committee have instructed me to report the same back to this House, with an amendment, and recommend the adoption of said amendment and the passage of said bill.

BEREMAN, Chairman.

The joint committee on Enrolled Bills beg leave to report that they have examined Senate Files No. 56 and No. 92, and find the same correctly enrolled, and present them for signature.

A. RUNYON,

Chairman House Com. Enr. Bills.

Your committee on Engrossed Bills, to whom was referred a substitute for House File No. 16, entitled "A bill for an Act to regu-

late grist mills, and define the duties of millers and mill owners," have examined the same, and find it correctly engrossed.

HOLDRIDGE, Chairman.

The committee on Roads and Highways, to whom was referred House File No. 37, have had the same under consideration, and have instructed me to report a substitute for the bill, and recommend its passage.

E. DORR, Chairman.

The committee on Agriculture, to whom was referred House File No. 66, "A bill for an Act to amend the Act for the protection of Game," have had the same under consideration, and have instructed me to report the bill back to the House, with a recommendation that it do not pass.

H. M. THOMPSON, Chairman.

Your special committee, to whom was referred a substitute for Senate File No. 28, instruct me to report the same back, and recommend that it do not pass.

J. ANDREWS, Chairman.

#### RESOLUTIONS OF ENQUIRY.

The resolution of enquiry relative to the Adjutant General furnishing to this House the cost of the Southern Border Brigade, by Counties, was taken up and adopted.

#### INTRODUCTION OF BILLS.

Mr. Oliver introduced House File No. 68, "A bill for an Act to promote the actual settlement of the vacant and unimproved lands in this State," which was read a first and second time, and referred to committee on Agriculture.

Mr. Knox introduced House File No. 69, "A bill for an Act to amend an Act in relation to revenue of the Revision of 1860," which was read a first and second time and referred to committee on Ways and Means.

Mr. Gose introduced House File No. 70, "A bill for an Act compelling drovers to brand hogs and cattle. Read a first and second time, and referred to committee on Agriculture.

Mr. McNutt introduced House File No. 71, "A bill for an Act to amend Sections 4145 and 4147 of the Revision of 1860." Read a first and second time, and referred to committee on Judiciary.

A memorial was received from Judge Springer, relative to attaching the Agricultural College to the State University, which was read and, on motion, was referred to committee on Schools and State University.



Mr. Knox, by leave, introduced the following resolution :

*Resolved* by the House, the Senate concurring, that a joint committee of both Houses be appointed to draft a memorial asking Congress to extend the time to which the State is restricted in the building of an Agricultural College or Colleges to secure the donation of lands granted to the State for an endowment of said College or Colleges.

Mr. Bell moved to amend by inserting three on the part of the House and two on the part of the Senate. Carried.

The resolution was then adopted.

Mr. Hale moved that House File No. 45, "A Bill for an act to extend the jurisdiction of County Courts in Civil and Criminal cases and for other purposes," be taken up. Carried.

On motion of Mr. Oliver, the bill was referred to Committee on Judiciary.

#### BILLS ON SECOND READING.

House File No. 6, "A Bill for an act to amend Section 2193 of the Revision of 1860," with House File No. 41, and a substitute therefor, were taken up, with report of committee recommending that the Substitute Bill offered by the committee, do pass.

On motion, the report of the committee, was adopted.

On motion of Mr. Darby, the House resolved itself into Committee of the Whole on the Bill under consideration, Mr. Magill in the chair.

The committee rose and reported that they had had the Bill under consideration, and had amended it as follows, by adding to Section one the words, "Provided that no bounty on any animal shall exceed five dollars."

On motion, the amendment was adopted.

Mr. Oliver moved that the bill be read 8d time and put upon its passage. Carried.

On the question, "shall the Bill pass," the yeas and nays were as follows :

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Gose, Gilchrist, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Magill, Meissner, Mills, Munsell, McNutt, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Paulk, Pritchard, Potter, Russell of Jones, Russell of Washington, Runyan, Sanderson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Wolf, White and Mr. Speaker—71.

Those gentlemen voting nay were, Messrs. Green, Hale, King, Maxwell, Moir, Parker, Perry, Richards and Simpson—9.

Absent or not voting—Messrs. Burke, Brown, Christoph, Finkbine, Hildreth, Hurst, Merriam, McMaken, Sears, Stiles, Vinton and Weare.

The bill passed and the title was agreed to.

On motion House adjourned.

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Two o'clock, P. M.

House met pursuant to adjournment.

House File No. 47, "A bill for an act granting the right of way to open and drain coal mines," was taken up, and read.

Mr. Beremen moved to amend by striking out in Sec. 7th the word "provided," and insert the word "condition." Carried.

On motion of Mr. Baylies, the bill was read a third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Cort, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Green, Gose, Gilchrist, Hale, Hixon, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyan, Sanderson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—80.

Those gentlemen voting nay were, none.

Absent or not voting, Messrs. Brown, Christoph, Close, Finkbine, Glendenning, Hildreth, Hurst, McMaken, Sears, Simpson, Stiles and Vinton.

The Bill passed, and the title was agreed to.

Senate File No. 18, "A bill for an Act to increase the number of the Judges of the Supreme Court, and for other purposes," was taken up.

Mr. Paulk moved to strike out the 2d Section.

On the question to strike out, the yeas and nays were demanded and ordered, resulting as follows:

Those gentlemen voting yea were, Messrs. Cort, Green, Littler, Lindsey, Lyons, Merriam, Meissner, Munsell, McKnight, Oliver,

O'Brien, Paulk, Perry, Pritchard, Potter, Russell of Washington, Richards, Simpson, Sturgis, Spurrier, Wolf, and White—22.

Those gentlemen voting nay were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Gose, Hale, Hixon, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Lindley, Magill, Maxwell, Mills, Moir, McNutt, McCall, McCormick, Nelson, Parker, Russell of Jones, Runyan, Sanderson, Stanton, Smith, Skiles, Sweet, Thompson, Van Sandt, Weare and Mr. Speaker—58.

Absent or not voting—Messrs. Brown, Christoph, Close, Dorr, Finkbine, Gilchrist, Hildreth, Hurst, McMaken, Sears, Stiles, and Vinton.

The motion to strike out did not prevail.

Mr. Bereman moved that the report of the Judiciary Committee, recommending the striking out of Section six and the insertion of the following—"This act being deemed by the General Assembly of immediate importance, shall take effect upon its publication in the Daily State Register and Iowa Homestead," be adopted. Carried.

Mr. Russell of Washington, moved to refer the whole matter to a committee of six, one from each Congressional District. Lost.

On motion of Mr. McCormack, the Bill was read 3d time and put upon its passage, with the following result.

Those gentlemen voting yea, were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Broomley, Bell, Buckham, Baylies, Burke, Carbee, Close, Clark, Darby, Davis, Elliott, Fenn, Galland, Glendenning, Gose, Gilchrist, Hale, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Johnston, King, Latham, Lathrop, Logan, Lindley, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McNutt, McCall, McCormack, Parker, Runyon, Sanderson, Stanton, Smith, Skiles, Sweet, Van Sandt, Weare, and Mr. Speaker.—52.

Those gentlemen voting nay, were Messrs. Bruce, Carey, Campbell, Cort, Day, Dorr, Fry, Fuller, Garrett, Green, Knox, Littler, Lindsey, Munsell, McKnight, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Simpson, Sturgis, Spurrier, Thompson, Wolf and White.—31.

Absent or not voting, Messrs. Brown, Christoph, Finkbine, Hildreth, Hurst, McMaken, Sears, Stiles and Vinton.

The Bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the Honorable House of Representatives that the Senate has adopted the following:

*Be it Resolved, by the Senate and House of Representatives, of the*

*State of Iowa*, That Mrs. Anna Wittenmyer be requested to address the General Assembly, on Saturday evening, upon the Sanitary Condition and Wants of our Citizen Soldiers.

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary Senate.

House File No. 37, "A bill for an Act to restrain persons from carelessly leading or driving stock across bridges maintained at the public charge," was taken up, with the substitute bill.

On motion, the substitute was adopted.

Mr. Richards moved to amend Sec. 3, by striking out the word "levied" and insert the word "imposed." The motion prevailed.

Mr. Baylies moved to lay the bill on the table. Carried.

Substitute for Senate File No. 38, "A bill for an Act fixing the time for holding courts in the Sixth Judicial District," was taken up.

Mr. Campbell moved that the bill be indefinitely postponed. Carried.

House File No. 60, "A bill for an Act to extend the provision of Art. 4, Chap. 54, of the Revision of 1860, so as to apply to the construction of mill races," was taken up, and, on motion of Mr. Runyan, the bill was read a third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hixon, Helm, Horton, Holdridge, Jeffries, Joy, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Russell of Washington, Richards, Runyan, Sauderson, Simpson, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White, and Mr. Speaker—77.

The gentleman voting nay was, Mr. Parker—1.

Absent or not voting, Messrs. Brown, Christoph, Finkbine, Hildreth, Hurst, Johnson, King, Lindley, McMaken, Russell of Jones, Sears, Sturgis, Stiles and Vinton.

The bill passed and the title was agreed to:

House File No. 35, "A Bill for an act providing for canvassing the vote for Senators and Representatives in the General Assembly elected by Districts composed of more than one county," was taken up and read, with the report of committee recommending an amendment, as follows: Add after the words General Assembly in the thirteenth line of Section 3 in said bill, the words, "And in case of a

special election, within five days after the receipt of such abstract."

On motion, the report was adopted.

Mr. Oliver moved that the bill be read 3d time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

Those voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garret, Green, Gose, Gilchrist, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—80.

The nays were none.

Absent or not voting, Messrs. Brown, Christoph, Finkbine, Galland, Glendenning, Hildreth, Johnson, Lindsey, McMaken, Sears, Stiles and Vinton.

The Bill passed and the title was agreed to.

House File No. 66, "A bill for an Act to amend the Acts for the protection of game," was taken up and, on motion of Mr. Holdridge, was laid on the table.

Substitute for Senate File No. 49, "A bill for an Act changing the rate of interest in warrants on the State Treasury," was taken up and read.

On motion of Mr. Russell of Jones, the bill was read a third time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Green, Gose, Gilchrist, Hale, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, King, Knox, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyan, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—80.

The nays were none.

Absent or not voting, Messrs. Brown, Christoph, Finkbine, Glen-

denning, Hildreth, Hurst, Johnson, Lathrop, McMaken, McKnight, Sears and Vinton.

The bill passed and the title was agreed to.

Senate File No. 37, "A Bill for an act to amend Section 5, Chapter, 163, of the 9th General Assembly, and to fix a per diem for Road Supervisors," was taken up and read.

Mr. Oliver moved to amend by striking out the word "Statesman" in the last Section, and inserting "Homestead." Carried.

On motion of Mr. Moir, the Bill was recommitted to Committee on Roads and Highways.

Senate File No. 76, Joint resolution of instruction to our Senators and Representatives in Congress in relation to pensions to widows of Chaplains in the army, was taken up and read.

Mr. Bereman moved to insert the words "and Surgeons" after the word "Chaplains" where it occurs in the resolution. Carried.

On motion, the resolution as amended, was concurred in.

Mr. Richards, by leave, introduced the following joint resolution, which was adopted:

*Resolved*, by the House of Representatives the Senate concurring, That the Secretary of State place in the hands of the Secretary of the Agricultural College so many of the Reports of the State Agricultural Society as may be necessary to make up sets of said reports, for the use of those members and officers of the Legislature who have not received sets; and that the Secretary of State distribute the remaining copies of said reports to the members of the Legislature equally, for the use of Agricultural Societies, reserving not less than one hundred copies of each year.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the honorable House of Representatives, that the Senate has concurred in the House substitute for the Senate resolution, inviting Mr. J. B. Gough to lecture in Des Moines during the present session of the General Assembly.

The Senate has also concurred in the House amendment to the Senate resolution, relative to binding certain public documents, and passed the following:

*Resolved*, by the General Assembly of the State of Iowa, That a committee of two from the Senate and two from the House, with the Auditor and Treasurer of State, be appointed to destroy all the unsold and useless bonds of the State, and that each committee report to its own respective House the number and amount of bonds so destroyed, in which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

A substitute for House Files Nos. 48 and 49, "A bill for an Act authorizing and requiring the sale or exchange of specie now in the

State Treasury, for legal tender notes of the United States," was taken up.

Mr. Cort offered the following amendment: "Provided that the profits realized from such sale shall be appropriated for the building of an Agricultural College." Lost.

On motion, the substitute bill was adopted.

On motion of Mr. Oliver, the bill was read a third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Campbell, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Galland, Glendenning, Gose, Gilchrist, Hale, Hixson, Helm, Horton, Joy, King, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McCall, Nelson, Oliver, Parker, Perry, Pritchard, Russell of Jones, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Sweet, Thomson, Weare, Wolf, White and Mr. Speaker—59.

Those gentlemen voting nay were, Messrs. Bereman, Carey, Cort, Close, Day, Fry, Garrett, Green, Holdridge, Jeffries, Littler, Meissner, McCormick, O'Brien, Paulk, Potter, Russell of Washington, Richards and Spurrier—19.

Absent or not voting, Messrs. Brown, Carbee, Christoph, Finkbine, Hildreth, Hurst, Johnson, McMaken, McNutt, McKnight, Sears, Stiles, Van Sandt and Vinton.

The bill passed and the title was agreed to.

The joint resolution relative to inviting Mrs. Annie Wittenmeyer to lecture to the General Assembly, was taken up, and adopted.

The Senate amendment to joint resolution providing for the distribution of Reports, was taken up, and concurred in.

The joint resolution appointing a joint committee to destroy unsold and useless State Bonds, was taken up, and on motion concurred in.

The Speaker appointed as Joint Committee on part of the House Messrs. Oliver and Richards.

Senate File No. 48, "A Bill for an act to provide for reporting the decisions of the Supreme Courts," was taken up and referred to Committee on Judiciary.

On motion of Mr. Knox, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
THURSDAY, February 4th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Smith.

Journal of yesterday read and approved.

PETITIONS.

Mr. Spurrier presented the petition of Isaac Eaton and other citizens of Johnson county, praying for a law to provide for the relief of the families of the soldiers from Iowa in the service of the United States, and for those made widows and orphans by such service. Referred to Committee on Sanitary affairs.

MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the Honorable House of Representatives that the Senate has passed Senate File No. 32, "A Bill for an act supplemental to an act to repeal Chapter 7 of the laws of the State of Iowa passed at the extra session of the 8th General Assembly, entitled An Act for the relief of volunteer soldiers from this State, approved April 7th, 1862."

Senate File No. 39, "Bill for an act to repeal Sections 4779 and 4780 of the Revision of 1860, and to provide a substitute therefor."

Senate File No. 95, "A Bill for an act to provide for the preliminary survey of a Ship Canal route from the State of Iowa eastward to the Illinois River."

The Senate has adopted the accompanying substitute for the joint resolutions of the House upon the subject of a Ship Canal, and the improvement of the Mississippi River rapids.

In all of which the concurrence of the House is asked.

WM. F. DAVIS, Sec'y Senate.

Mr. Lyons moved to reconsider the vote by which the bill was passed, creating another Supreme Judge.

Mr. Paulk moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Mr. Mills was absent and not excused.

The Sergeant-at-arms was ordered to bring in the absentees.

Mr. Magill moved that the further proceedings under the call of the House be dispensed with. Motion lost.

Mr. Russell moved that the House take a recess of ten minutes. Lost.

Mr. Oliver moved that the House take a recess of fifteen minutes.

The yeas and nays were demanded and ordered, resulting as follows.

Those gentlemen voting yea were, Messrs. Burke, Cort, Day,



Fuller, Green, Lathrop, Littler, Lyons, Munsell, McKnight, Oliver, O'Brien, Richards, Sturgis and White—15.

Those gentlemen voting nay were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Close, Clark, Darby, Davis, Dorr, Elliott, Fry, Garrett, Galland, Glendenning, Gose, Gilchrist, Hale, Hixon, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Logan, Lindley, Lindsey, Merriam, Magill, Maxwell, Meissner, Moir, McNutt, McCall, McCormick, Nelson, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Runyan, Sanderson, Simpson, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf and Mr. Speaker—66.

Absent or not voting, Messrs. Brown, Christoph, Fenn, Finkbine, Hildreth, Hurst, Mills, McMaken, Sears, Stiles and Vinton.

Mr. Davis moved that the House adjourn. Lost.

Mr. Weare moved that all further proceedings under the call be dispensed with.

The yeas and nays were demanded, and ordered, resulting as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Galland, Gose, Gilchrist, Hale, Hixson, Helm, Horton, Holdridge, Joy, Johnson, King, Knox, Latham, Logan, Lindley, Lindsay, Merriam, Magill, Meissner, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Parker, Potter, Russell of Jones, Sanderson, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare and Mr. Speaker—58.

Those gentlemen voting nay were, Messrs. Burke, Carey, Campbell, Cort, Elliott, Fry, Fuller, Garrett, Glendenning, Green, Jeffries, Lathrop, Littler, Lyons, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Russell of Washington, Richards, Runyon, Simpson, Sturgis, Wolf and White—27.

Absent or not voting, Messrs. Brown, Christoph, Finkbine, Hildreth, Hurst, Maxwell, Mills, McMaken, Sears, Stiles and Vinton.

The motion prevailed.

Mr. Magill moved to lay the motion to reconsider on the table.

On the question, "Shall the motion to reconsider be laid on the table?" the yeas and nays were demanded, and ordered, resulting as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Clark, Davis, Elliott, Fenn, Galland, Gose, Hale, Hixson, Horton, Holdridge, Joy, Johnson, Latham, Logan, Lindley, Magill, Moir, McNutt, McCall, McCormick, Parker, Sanderson, Smith, Sweet, Van Sandt, Weare and Mr. Speaker—35.

Those gentlemen voting nay were, Messrs. Burke, Carey, Campbell, Carbee, Cort, Close, Day, Darby, Dorr, Fry, Fuller, Garrett, Glendenning, Green, Gilchrist, Helm, Jeffries, King, Knox, Lathrop, Littler, Lindsay, Lyons, Merriam, Maxwell, Meissner, Munsell, McKnight, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyan, Simpson, Sturgis, Stanton, Skiles, Spurrier, Thomson, Wolf and White—47.

Absent or not voting, Messrs. Brown, Christoph, Finkbine, Hildreth, Hurst, Mills, McMaken, Sears, Stiles and Vinton.

The motion was lost.

Mr. Russell, of Jones, moved that when the House adjourn, that it be until to-morrow morning at 10 o'clock. Carried.

On motion House adjourn adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
FRIDAY, February 5th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Smith.

Journal of yesterday read and approved.

Mr. Paulk moved that the rule be suspended, and the matter under consideration at the hour of adjournment be taken up. Lost.

Mr. Paulk moved to adjourn. Lost.

Mr. Paulk moved that the rule be suspended, and that the Clerk be directed to procure from the Senate Senate File No. 18, "A Bill relative to appointing an additional Judge for Supreme Court."

The yeas and nays were demanded and ordered, resulting as follows:

Those gentlemen voting yea, were Messrs. Bruce, Baylies, Burke, Carey, Campbell, Carbee, Cort, Dorr, Fry, Fuller, Garrett, Green, Gilchrist, King, Knox, Latham, Lathrop, Littler, Lindsey, Lyons, Maxwell, Meissner, Munsell, McKnight, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Richards, Runyon, Simpson, Sturgis, Skiles, Spurrier, Thompson, Van Sandt, Wolf and White.—42.

Those gentlemen voting nay, were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bromley, Bell, Buckham, Close, Clark, Day, Darby, Davis, Elliott, Galland, Gose, Hale, Hixson, Helm, Horton, Holbridge, Joy, Johnson, Logan, Lindley, Merriam, Magill, Mills, Moir, McNutt, McCall, McCormick, Parker, Potter, Sanderson, Stanton, Smith, Sweet, Van Sandt, Weare and Mr. Speaker.—38.

Absent or not voting, Messrs. Brown, Christoph, Fenn, Finkbine, Glendenning, Hildreth, Hurst, Jeffries, McMaken, Sears, Stiles and Vinton.

The question was lost.

#### PETITIONS.

Mr. Fry presented the petition of A. Axline and other citizens of Jefferson County, praying for an amendment in the School Law, increasing the duties and compensation of County Superintendents. Referred to Committee on Schools and Universities.

Mr. Bell presented the petition of A. M. Battelle and others of Pottawatomie County, remonstrating against any radical change being made in the present Supervisor system.

Referred to Committee on County and Township organizations.

Mr. Richards presented the petition of J. W. Bowman and other citizens of Dubuque County, praying for the enactment of a Registration Law.

Referred to Committee on Elections.

Mr. Helm presented the petition of Horace Jacobs and other citizens of Tama County, praying for an act declaring the title to the public square in the town of Toledo, Tama County, to be in Tama County, Iowa.

Referred to Committee on Public Buildings.

Mr. Skiles presented the petition of H. S. Wilson and other citizens of Scott and Muscatine Counties, praying for a system of Township Collectors, and also for a change in our present School Laws.

Referred to Committee on Schools and Universities.

Mr. Runyan presented the petition of Walter Stickney and other citizens of Benton County, praying for the location of the Orphan Asylum at Marshalltown.

Referred to Committee on Charitable Institutions.

Mr. Hixson presented two similar petitions of the citizens of Marshall county, which were referred to the same committee.

Mr. Runyan presented the petition of E. G. Brown, and other citizens of Benton county, remonstrating against any change in the present Supervisor system of county government. Referred to committee on County and Township Organizations.

Mr. Simpson presented a bill of Andrew Murray, relative to sawing wood for the use of the General Assembly. Referred to committee on Claims.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the Honorable House of Representatives, that the Senate has passed House substitute for Senate File No. 84—A bill for an Act to authorize the State Treasurer to procure a safe for his office, without amendment.

Senate File No. 72—A bill for an Act to amend Section 3723, of the revision of 1860.

Senate File No. 117—A bill for an Act making appropriations for the payment of the mileage of the members of the Tenth General Assembly.

In all of which the concurrence of the House is respectfully asked.  
WM. F. DAVIS, Sec'y Senate.

#### REPORTS OF COMMITTEES.

I am instructed by committee on Ways and Means to report back House File No. 69, "A bill for an Act to amend an act in relation to revenue, of the revision of 1860," and recommend that it do not pass.

GILCHRIST, Chairman.

The committee on Claims, to whom was referred the claim of M. L. Devin for brooms, amounting to \$7.63, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House, with the recommendation that said claim be allowed, and that said claim be referred to the committee on Ways and Means, with instructions to make provisions for the payment of the same in the general appropriation bill.

MOIR, Chairman.

The report was adopted.

The committee on Enrolled Bills beg leave to report that they have examined substitute for House File No. 19, and House File No. 8, find the same correctly enrolled, and present them for your signature.

A. RUNYON, Chairman.

The standing committee on Engrossed Bills, to whom was referred substitute for House File No. 6, "A bill for an Act empowering counties to offer bounties on scalps of wild animals, have examined the same, and find it correctly engrossed.

HOLDRIDGE, Chairman.

The committee on Agriculture, to whom was referred House File No. 61, "A bill for an Act for procuring certain statistical information, and imposing further duties upon certain officers, therein named," have had the same under consideration, and have directed me to report the same back to the House, with the following amendments, to wit: In Sec. 1, strike out the whole of the 11th line, and also the 12th line, to the word "by," after the word "injured," and in the 16th line, after the words "wild animals," and insert the words, "and the value in each case," and to recommend that it be put upon its passage.

H. M. THOMPSON, Chairman.

The committee on Agriculture, to whom was referred House File No. 70, "A bill for an Act compelling drovers to brand hogs and cattle," have had the same under consideration, and have instructed me to report the same back to the House, with a recommendation that it should not pass.

H. M. THOMPSON, Chairman.

The committee on Agriculture, to whom was referred House File No. 68, "A bill for an Act to promote the actual settlement of the vacant and unimproved lands within this State," have had the same under consideration, and have instructed me to report it back to the House, with the recommendation that it should not pass.

H. M. THOMPSON, Chairman.

The committee on Agriculture, to whom was referred a petition from certain citizens of Ringgold county, asking for a law to restrain stock from running at large, have had the same under consideration, and have instructed me to report said petition back to the House, and request that it be referred to the special committee on Fencing.

H. M. THOMPSON, Chairman.

On motion, the report was adopted.

The committee on Claims to whom was referred the claim of J. L. Mason, by concurrent resolution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House with the accompanying bill and recommend the passage of said bill.

MOIR, Chairman.

Your committee, to whom was referred Senate File No. 9, "A bill for an Act to amend Chap. 53, of the Revision of 1860, entitled Corporations other than those for pecuniary profit," have had the same under consideration, and instructed me to report the same back to this House, recommending its passage without amendment.

BELL, Chairman.

The following report was received from the committee on Mileage:  
MR. SPEAKER—Your committee to whom was assigned the duty of ascertaining the amount of Mileage due to each member of this House, in conjunction with a like committee on the part of the Senate, respectfully report that they have performed that duty, and that there is due to the members of this House the amounts set opposite to their names in the accompanying list.

Your committee recommend that the Clerk of this House be directed to read the names of the members, and number of miles and mileage allowed by your committee, and each member as his name is called shall rise in his place and state whether the amount so allowed is correct and just, and if not, make such correction in the

account or report of the committee as shall be just, which amount so stated by each member shall be allowed.

Your committee find that it has been customary to allow the Chief Clerk of this House the same mileage as is allowed to members, and therefore recommend that Jacob Rich, Chief Clerk of this House, be allowed mileage for 230 miles each way.

WASHINGTON GALLAND,

Chairman Com. on Mileage.

Report of the Committee appointed to ascertain the amount of Mileage due to each member of this House.

Your Committee respectfully report that there is due the amounts as follows to-wit:

TO	DIST.	MILES.	COUNTY.	Dollars. Cents.
B. S. Merriam,.....	1	332	Lee,.....	\$49 50
Washington Galland,.	1	356	".....	53 40
Ferdinand Meissner,...	1	320	".....	48 00
J. W. Latham,.....	2	280	Van Buren,.....	42 00
W. C. Garrett,.....	2	280	".....	42 00
F. H. Carey,.....	3	266	Davis,.....	39 90
D. A. Hurst,.....	3	262	".....	39 30
E. F. Horton,.....	4	300	Appanoose,.....	45 00
Elijah Glendenning,.	5	350	Wayne,.....	52 50
Jno. R. Andrews,...	6	262	Decatur,.....	39 30
Joseph J. M'Maken,...	7	330	Des Moines,.....	49 50
James Bruce,.....	7	376	".....	56 40
Alva H. Bereman,...	8	300	Henry,.....	45 00
Hugh R. Lyons,.....	8	324	".....	48 60
Owen Bromley,.....	9	280	Jefferson,.....	42 00
G. C. Fry,.....	9	200	".....	37 50
Edward H. Stiles,....	10	210	Wapello,.....	31 50
Peter Knox,.....	10	180	".....	27 00
John Clark,.....	11	190	Monroe,.....	28 50
H. H. Day,.....	12	100	Lucas,.....	15 00
O. R. Johnson,.....	13	336	Clarke,.....	48 90
N. I. Van Sandt,....	14	480	Page,.....	72 00
T. L. Buckham,.....	15	400	Fremont,.....	60 00
William Hale,.....	16	350	Mills,.....	52 50
Enoch Potter,.....	17	400	Louisa,.....	60 00
Nathan Littler,.....	18	260	Washington,.....	39 00
Samuel A. Russell,....	18	290	".....	43 50
Joseph Andrews,....	19	200	Keokuk,.....	30 00
R. S. Mills,.....	19	246	".....	36 90
J. N. H. Campbell,...	20	120	Mahaska,.....	18 00
Ehphraim Munsell,...	20	150	".....	22 50
John L. McCormick,...	21	90	Marion,.....	13 50

TO	DIST.	MILES.	COUNTY.	Dollars. Cts.
S. Y. Gose, .....	21	50	Marion, .....	7 50
S. B. Lindsey, .....	22	20	Warren, .....	3 00
John E. Darby, .....	23	80	Madison, .....	12 00
A. J. Bell, .....	24	300	Pottawatomie, .....	45 00
Jacob Butler, .....	25	340	Muscatine, .....	51 00
Samuel McNutt, .....	25	340	" .....	51 00
Robert S. Finkbine, ..	26	280	Johnson, .....	39 00
Warren Spurrier, .....	26	288	" .....	43 20
Silas G. Sweet, .....	27	230	Iowa, .....	34 50
Reuben Sears, .....	23	120	Poweshiek, .....	18 00
Salem Jeffries, .....	29	60	Jasper, .....	9 00
Nicholas Baylies, .....	30	00	Polk, .....	00 00
Ellwood Lindley, .....	31	80	Dallas, .....	12 00
Hugh M. G. Skiles, ..	32	400	Scott, .....	60 00
Hugh M. Thompson, ..	32	408	" .....	61 20
Wm. Sanderson, .....	32	422	" .....	63 30
S. G. Magill, .....	33	440	Clinton, .....	66 00
George W. Parker, ..	33	400	" .....	60 00
John W. Stanton, .....	34	380	Cedar, .....	57 00
William P. Wolf, .....	34	340	" .....	51 00
Ebenezer Dorr, .....	35	480	Jackson, .....	72 00
Henry Green, .....	35	480	" .....	72 00
John H. Fuller, .....	36	360	Jones, .....	54 00
John Russell, .....	36	360	" .....	54 00
Charles Weare, .....	37	280	Linn, .....	42 00
J. P. Carbee, .....	37	304	" .....	45 60
Alexander Runyon, ..	38	310	Benton, .....	46 50
Phineas Helm, .....	39	140	Tama, .....	21 00
Oliver F. Hixson, .....	40	120	Marshall, .....	18 00
John Christoph, .....	41	660	Dubuque, .....	99 00
Daniel Cort, .....	41	636	" .....	95 40
B. B. Richards, .....	41	600	" .....	90 00
D. O'Brien, .....	41	640	" .....	96 00
Joseph W. Simpson, ..	42	406	Delaware, .....	60 90
D. D. Holdridge, .....	43	460	Buchanan, .....	69 00
Cicero Cluse, .....	44	320	Black Hawk, .....	48 00
W. J. Moir, .....	45	160	Hardin, .....	24 00
Wm. J. Gilchrist, .....	46	770	Clayton, .....	115 50
Henry White, .....	46	740	" .....	111 00
P. F. Sturgis, .....	47	775	Fayette, .....	116 25
John E. Burke, .....	48	580	Brema, .....	84 00
Henry C. Vinton, .....	49	600	Chickasaw, .....	90 00
Charles Paulk, .....	50	900	Alamakee, .....	135 00
Ole Nelson, .....	51	900	Wineashiek, .....	135 00
James H. Brown, .....	51	900	" .....	135 00

TO	(DIST.)	MILES.	COUNTY.	(Dollars, Cts.)
Thomas R. Perry,....	52	900.	Howard, .....	\$135 00
W. A. Lathrop,.....	53	400	Franklin,.....	60 00
A. B. F. Hildreth,....	54	712	Floyd, .....	106 80
Geo. M. Maxwell,....	55	50	Story, .....	7 50
Samuel B. McCall,...	56	80	Boone, .....	12 00
C. D. Pritchard,.....	57	400	Hancock,.....	60 00
Ed. McKnight,.....	58	200	Humboldt, .....	30 00
John Smith,.....	59	440	Dickinson, .....	66 00
James W. Logan,....	60	180	Webster,.....	27 00
W. L. Joy,.....	61	520	Woodbury,.....	78 00
Addison Oliver,.....	62	430	Monona, .....	65 00
Stephen King,.....	63	375	Harrison,.....	56 25
E. B. Fenn, .....	64	130	Guthrie,.....	19 50
W. B. Davis,.....	65	340	Union, .....	51 00
William Elliott,.....	66	400	Taylor and Ringgold,	60 00
Jac. Rich, Chief Clerk.		460		69 00

\$4,905 40

All of which is respectfully submitted, and your committee ask to be discharged.

WASHINGTON GALLAND,  
HENRY WHITE,  
JOHN CHRISTOPH.

#### INTRODUCTION OF BILLS.

Mr. Baylies introduced House File No. 72, "A bill for an Act relating to Notaries Public, and defining certain duties and prescribing certain penalties." Read a first and second time, and referred to committee on Judiciary.

Mr. Russell, of Jones introduced House File No. 73, "A bill for an Act authorizing the trustees of the Iowa State Agricultural College and farm to sell all lands acquired, granted, donated, or appropriated, for the benefit of said College, and to make an investment of the proceeds thereof." Read a first and second time, and on motion, laid on the table and ordered to be printed.

Mr. Latham introduced House File No. 74, "A bill for an Act to amend Chapter 57, of the Revision of 1860." Read a first and second time and referred to committee on Judiciary.

Mr. Lindley introduced House File No. 75, "A bill for an Act entitled an Act to separate the Office of Recorder from that of Treasurer, and to make the County Judge the Recorder of deeds." Read a first and second and referred to committee on Judiciary.

Mr. White introduced House File No. 76, "A bill for an Act to repeal section forty one hundred and forty seven of Chapter one hundred and sixty two of the Revision of 1860 being an Act in



relation to Sheriffs salaries." Read a first and second time and referred to committee on Judiciary.

Mr. Davis introduced House File No. 77, "A bill for an Act to prohibit certain stock from running at large." Read a first and second time and referred to committee on Agriculture.

#### RESOLUTIONS.

Mr. McNutt offered the following Joint resolution, in relation to lands owned by Rebels:

*Be it resolved by the General Assembly of the State of Iowa,* That whereas it is alleged that there are certain lands, and tracts of land, lying within the limits of this State, now owned by persons who have taken up arms against the United States, and by others who have aided and abetted those who have taken up arms against the United States, to subvert and destroy the Government and authority of the same; **AND WHEREAS,** There are now in the State of Iowa, many orphans and destitute families of soldiers who have died in the service of the United States against the rebels and traitors aforesaid; therefore,

*Resolved,* That the General Assembly of the State of Iowa hereby memorialize the Congress of the United States to confiscate and grant the aforesaid lands, lying within the State of Iowa, to the use and support of the widows and orphans of the soldiers from Iowa, who have died, or may die, in the service of the United States during the present war against treason and rebellion.

*Resolved,* That our Senators and Representatives in Congress be requested to use their influence to secure the object expressed in these resolutions.

*Resolved,* That the Secretary of State be requested to furnish a copy of these resolutions, duly attested under the seal of the State, to the President of the United States, and to each of our Senators and Representatives in Congress.

On the question, "Shall the resolution be referred to committee on Judiciary?" the yeas and nays were demanded, and ordered, resulting as follows:

Those gentlemen voting yea were, Messrs. Burke, Carey, Campbell, Cort, Fenn, Green, Gose, McCormick, McKnight, Oliver, O'Brien, Parker, Paulk, Russell of Washington, Richards, Sanderson, Sturgis, Smith, Van Sandt and White—20.

Those gentlemen voting nay were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Fry, Fuller, Garrett, Galland, Glendenning, Hale, Hixon, Helm, Horton, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, Nelson, Perry, Pritchard,

Potter, Russell of Jones, Runyan, Simpson, Stanton, Skiles, Spurrier, Sweet, Thompson, Weare, Wolfe and Mr. Speaker—59.

Absent or not voting—Messrs. Bell, Brown, Christoph, Elliott, Finkbine, Gilchrist, Hildreth, Hurst, Jeffries, McMaken, Sears, Stiles and Vinton.

The question did not prevail.

Mr. Paulk moved to amend. Lost.

On the question, "Shall the resolution be adopted?" the yeas and nays were demanded, and ordered, resulting as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hixon, Helin, Horton, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—77.

Those gentlemen voting nay were, Messrs. Carey, Cort, McKnight, O'Brien, Paulk and Richards—6.

Absent or not voting, Messrs. Christoph, Finkbine, Hildreth, Hurst, Jeffries, McMaken, Sears, Stiles and Vinton.

The motion prevailed.

Mr. Wolf offered the following resolution:

**WHEREAS:** It is wise and expedient for this House to economise its time and thereby save unnecessary expense and whereas, discussions have frequently arisen, in which members have deemed it necessary to proclaim their patriotism: Now, therefore, to set all doubts at rest.

*Resolved;* That all the members of this House who support the Administration are eminently and equally patriotic.

Mr. Moir moved that the resolution be laid on the table, Carried.

Mr. Gilchrist, offered the following resolution, which on his own motion was laid on the table:

**WHEREAS:** A canal and water communication already exists from the Mississippi River to Lake Michigan by the way of the Wisconsin River 115 miles to Porage City, thence by canal 2 miles to the upper Fox River thence down that stream, to and through Lake Winnebago, and the lower Fox River to Green Bay in all 285 miles, thence through Green Bay by deep water to Lake Michigan; and,

**WHEREAS:** An enlargement of said water communication, and said canal is a matter of vast importance not only in a Military point of view, but the commercial and agricultural interests, of Iowa, and the North West; Therefore be it

*Resolved by the House of Representatives, the Senate concurring,* that our Senators and Representatives in Congress be instructed, and requested, to urge the enlargement of said canal and water communication, from Green Bay to the Mississippi River, and that the Governor be directed to send a copy of this preamble and resolution to each of our Senators and Representatives in Congress.

Mr. Bereman called up House File No. 75, "A bill for an Act entitled an Act to separate the office of Recorder from that of Treasurer, and to make the County Judge the recorder of deeds," and moved that it be referred to committee on City and Township Organization. Carried.

On motion House adjourned.

Two o'clock P. M.

House met pursuant to adjournment.

Mr. Logan introduced the following resolution, and moved its adoption :

**WHEREAS**, The President of the United States has recently issued a call for five hundred thousand men for the military service of the country ; and,

**WHEREAS**, The Governor of this State has very properly pledged the quota of this State by voluntary enlistment and without a draft ; and,

**WHEREAS**, The people of the several counties and communities have contributed so liberally and patriotically of their means in aid of enlistments in the military service of the country ; therefore,

*Resolved*, That the committee on Ways and Means be instructed to consider the propriety of extending State aid in bounties to volunteers under the recent call of the President, and report by bill or otherwise.

The resolution was lost.

#### MESSAGES AND COMMUNICATIONS.

The following communication from the Adjutant General, relative to the Southern Border Brigade, was taken up :

STATE OF IOWA, ADJ'T GEN'S OFFICE, }  
February 5th, 1864. }

*Hon. Jacob Butler, Speaker of the House of Representatives :*

SIR :—In compliance with a resolution of the House, requesting me to give a statement of amounts paid the Southern Border Brigade, by *counties*, I have the honor to submit the accompanying papers marked "A" and "B."

Paper marked "A" shows amounts paid prior to Jan. 11, 1864.

Paper marked "B" shows amounts paid since Jan. 11, 1864.

With great respect, truly yours,

N. B. BAKER, Adj. Gen. of Iowa.

#### EXHIBIT A.

Amounts paid Companies of Southern Border Brigade up to Jan. 11, 1864:

Co.	Bat'n.	County.	Captain.		
A	1	Lee, .....	J. T. Farris, ...	\$5,698 02	
B	1	Van Buren, ..	Jos. Dickey, ...	2,964 28	\$8,662 25
A	2	Davis, .....	H. B. Horn, ...	4,957 84	
B	2	Appanoose, ..	E. D. Skinner, ..	2,087 49	
C	2	Wapello, ....	C. E. Snow, ...	1,432 93	8,478 26
A	3	Decatur, ....	J. H. Summers,	6,460 46	
B	3	Wayne, .....	E. F. Esteb, ...	3,316 61	
C	3	Ringgold, ...	Nath. Miller, ...	3,184 50	12,961 57
A	4	Fremont, ....	W. Hoyt, .....	2,386 57	
B	4	Taylor, .....	J. T. McCowan,	1,045 71	
C	4	Page, .....	Jno. Whitcomb,	1,681 36	5,063 64
					<u>\$35,165 72</u>

#### EXHIBIT B.

Amounts paid Southern Border Brigade since Jan. 11, 1864.

Co.	Bat'n.	County.	Captain.		
B	2	Appanoose, ..	E. D. Skinner, ..	\$ 976 17	
C	3	Ringgold, ....	N. Miller, .....	146 75	
A	4	Fremont, ....	W. Hoyt, .....	691 28	\$ 1,814 20
Exhibit A, .....					<u>35,165 72</u>

Whole amount paid Southern Border Brigade, .... \$36,979 92

Substitute for Senate File No. 32, "A bill for an Act supplemental to an act to repeal Chap. 7, of the Laws of the State of Iowa, passed at the extra session of the 8th General Assembly, entitled an Act for the relief of volunteer soldiers from this State, approved April 7th, 1862," was taken up, read a first and second time, and referred to committee on Judiciary.

Senate File No. 39, "A bill for an Act to repeal Sections 4779 and 4780, of the Revision of 1860, and provide a substitute therefor," was taken up, and, on motion of Mr. Moir, the rule was suspended, the bill read the third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hixon, Helm, Horton, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—80.

The gentleman voting nay was, Mr. Richards—1.

Absent or not voting, Messrs. Burke, Brown, Christoph, Hildreth, Hurst, Jeffries, McMaken, Russell of Washington, Sears, Stiles and Vinton.

The Bill passed and the title was agreed to.

Senate substitute Joint resolution relating to ship canal was taken up and read.

Mr. Weare moved to lay on the table. Lost.

Mr. Baylies moved to concur, Carried.

Senate File No. 72, "A bill for an Act to amend section 3723 of the Revision of 1860," was taken up; Read a first and second time and referred to committee on Judiciary:

Senate File No. 117, "A bill for an Act making appropriations for the payment of the millage of members of the 10th General Assembly," was taken up, read a first and second time.

Mr. Merriam moved to amend as follows: Striking out \$2296,50 in Sec. 2 and inserting \$2344,50 and striking out \$4856,55 in Sec. 3 and inserting \$4907,40. Carried.

Mr. Moir moved to suspend the rule and that the bill be read a third time and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hixon, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McNutt, McCall, McCormick, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White, and Mr. Speaker—76.

Those gentlemen voting nay were, Messrs. Hale, Littler, Lyons, Meissner, McKnight and Russell of Washington—6.

Absent or not voting, Messrs. Burke, Brown, Christoph, Finkbine, Hildreth, Hurst, McMaken, Sears, Stiles and Vinton.

The bill passed and the title was agreed to.

#### UNFINISHED BUSINESS.

The further consideration of the motion to reconsider the vote taken, by which Senate File No. 18, "A bill for an Act to increase the number of Judges of the Supreme Court," was passed, was resumed.

Mr. Paulk moved that the House adjourn. Lost.

Mr. Paulk moved that the subject under discussion be made the special order for half past ten o'clock to-morrow. Carried.

On motion, House adjourned.

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#### HALL OF THE HOUSE OF REPRESENTATIVES, } SATURDAY, February 6th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Smith.

Journal of yesterday read and approved.

#### PETITIONS.

Mr. Runyan presented the petition of Chas. L. Summers and other voters in the County of Benton praying for an amendment to the School law by increasing the duties and compensation of the County Superintendent. Referred to committee on Schools and Universities.

Mr. Bell presented a similar petition of D. B. Clark and other voters, of Pottawattamie county, which was referred to same committee.

Mr. McCormick asked leave of absence for Mr. Gose. Granted.

Mr. Davis asked leave of absence for Mr. Jeffries. Granted.

Mr. Bruce presented the petition of J. J. Crowder and 424 other citizens of Des Moines County, protesting against the repeal of the Liquor Law. Referred to committee on Intemperance.

Mr. Cloee presented the bill of Z. Streeter, as Sergeant-at-arms for the temporary organization of the House of Representatives.

Referred to Committee on Claims.

Mr. Hixson presented the petition of Geo. Glick and other citizens of Marshall County, praying that the Orphan Asylum may be located at Marshalltown.

Referred to Committee on Charitable Institutions.

## REPORTS OF COMMITTEES.

The Judiciary Committee to whom was referred House File No. 67, "A Bill for an act to amend an act entitled an act to provide for the appraisment of property sold under execution," have had the same under consideration, and have instructed me to report the same back to this House, and recommend its passage, with the following amendment; "Strike out Section 4."

BEREMAN, Chairman.

Message from Senate was received by hand of W. F. Davis, Sec'y:

MR. SPEAKER:—I am directed to inform the Honorable House of Representatives, that the Senate has passed Senate File No. 70, "A Bill for an act for the relief of certain citizens of Keokuk County, and House File No. 8, A Bill for an act to provide for the printing and distribution of the Adjutant General's Report, with the following amendments:"

In the title of the Bill, substitute "1864" for "1863."

In the 6th line of Section 1, substitute "1864" for "1863."

In the 24th line of Section 2, after the word office, insert "Section 3."

In the 32d line, after the word office, insert "Section 4."

In the 34th line, substitute "twelve" for "five."

In the 49th line, after "State," insert "Register of the State Land Office."

In all of which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Sec'y Senate.

The committee on the Judiciary, to whom was referred House File No. 28 and House File No. 54, have had the same under consideration, and have instructed me to report the same back to this House, with the accompanying substitute, and recommend the adoption and passage of said substitute.

BEREMAN, Chairman.

I am instructed by the committee on claims to inform this honorable body that they have had the claim of J. Davis under consideration, and have instructed me to report the same back to this House, and recommend that he be allowed forty dollars, and that the same be referred to the standing committee on Ways and Means, and that it be allowed in the general appropriation bill.

By order of the committee.

J. W. SIMPSON.

The motion to adopt the report did not prevail.

Mr. Maxwell moved to reconsider the vote by which the motion to adopt the report was lost. Carried.

The hour for the special order having arrived, Mr. Baylies moved that it be postponed for five minutes. Carried.

Mr. Maxwell moved that the report be referred to a special committee of three, of which Mr. Baylies should be chairman. Carried.

The Speaker appointed as the remainder of said committee, Messrs. Maxwell and Bereman.

Mr. Runyon, from committee on Enrolled Bills, made the following report:

The joint committee on Enrolled Bills, beg leave to report that they delivered to His Excellency the Governor, for his approval, on Jan. 28th, House File No. 14, and on Feb. 5th, House File Nos. 3 and 19.

ALEX. RUNYAN,

Ch'n. House Com. on Enrolled Bills.

The joint committee on Enrolled Bills beg leave to report that they have examined House substitute for Senate File No. 84, find the same correct'y enrolled, and present it for your signature.

ALEX. RUNYAN,

Ch'n. House Com. on Enrolled Bills.

#### INTRODUCTION OF BILLS.

Mr. Simpson introduced House File No. 78, "A bill for an Act to repeal Sec. 17 of chapter 173 of the laws of the 9th General Assembly and to provide for the collection of taxes in the several counties of this State, by Township collectors." Read a first and second time and on motion, was laid on the table and ordered printed.

Mr. Fry moved to postpone special order until Wednesday next, at 10 o'clock A. M. Lost.

Mr. Paulk moved to postpone the special order until next Tuesday at 10½ o'clock A. M. Lost.

On the question "Shall the vote by which the bill creating another Supreme Judge was passed, be reconsidered," the yeas and nays were demanded and ordered, resulting as follows:

Those gentlemen voting yea, were Messrs. Carey, Campbell, Cort, Dorr, Fry, Fuller, Garrett, Green, Gilchrist, Knox, Littler, Lindsey, Lyons, Merriam, Meissner, Munsell, McKnight, Nelson, Oliver, O'Brien, Paulk, Perry, Prichard, Russell of Jones, Russell of Washington, Richards, Runyon, Simpson, Sturgis, Spurrier, Vinton, Wolf and White.—33.

Those gentlemen voting nay were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carbee, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Galland, Glendenning, Hale, Hixon, Helm, Horton, Hurst, Holdridge, Joy, Johnson, King, Latham, Lathrop, Logan, Lindley, Magill, Maxwell, Mills, Moir, McNutt, McCall, McCormick, Parker, Potter, Sanderson, Stanton, Smith, Skiles, Sweet, Van Sandt, Weare and Mr. Speaker.—49.



Absent or not voting, Messrs. Burke, Christoph, Finkbine, Gose, Hildreth, Jeffries, McMaken, Sears, Stiles and Thompson.

The motion did not prevail.

Mr. Sturgis introduced House File No. 79, "A Bill for an act to repeal section 4786 of Chapter 212 of the revision of 1860. Read a 1st and 2d time and referred to Committee on Judiciary.

Mr. Latham introduced House File No 80, "A Bill for an act entitled an act providing for auditing the account of J. L. Mason of Bentonsport, Iowa."

Read a 1st and 2d time, and on motion, the rule was suspended, the Bill read 3d time, and put upon its passage.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gilchrist, Hale, Hixon, Helm, Horton, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, McKnight, Nelson, Oliver, O'Brien, Parker, Perry, Potter, Russell of Jones, Russell of Washington, Sanderson, Simpson, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt, Weare, Wolf, White and Mr. Speaker—74.

Those gentlemen voting nay were Messrs. Paulk and Richards, 2.

Absent or not voting, Messrs. Bell, Burke, Brown, Christoph, Finkbine, Gose, Hildreth, Jeffries, McMaken, Pritchard, Runyan, Sears, Sturgis, Stiles, Thompson and Vinton.

The bill passed and the title was agreed to.

Mr. Thomson introduced House File No. 81, "A bill for an Act to amend Sec. 4153, of Chap. 162, of the Revision of 1860." Read a first and second time, and referred to committee on Judiciary.

Mr. Galland, by leave, called up House File No. 65, "A bill for an Act to authorize the establishment of houses of refuge," and moved that it be referred to committee on Charitable Institutions. Carried.

Mr. Oliver introduced House File No. 82, "A bill for an Act to amend Sec. 3293, of the Revision of 1860." Read a first and second time, and referred to committee on Judiciary.

Mr. Close introduced House File No. 83, "A bill for an Act to repeal Chap. 26, and Sec. 2871 of Chap. 75, of the act passed at the 9th General Assembly, requiring clerks of the District Courts to keep an Appearance Docket." Read a first and second time, and referred to committee on Judiciary.

#### RESOLUTIONS.

Mr. Oliver offered the following resolution, which was adopted:

*Resolved*, By the House of Representatives, that a committee consisting of one from each Judicial District be appointed to inquire and report to this House whether the equalization of assessments made by the State Board of Equalization is just, and compels the citizens of each county to contribute equally to the State revenue in the proportion of the true value of their property ; and whether any, and if any, what legislation is necessary to secure a just equalization of assessments in future.

The Speaker appointed the following gentlemen such committee: Messrs. Oliver, Meissner, Carey, Andrews of Decatur, Lindley, Munsell, Skiles, Fuller, Richards, Paulk and Maxwell.

Mr. Johnson offered the following concurrent resolution, and moved its adoption.

*Resolved*, by the General Assembly of the State of Iowa, That in our present worthy Chief Magistrate, Abraham Lincoln, we recognize a statesman and patriot, who has the wisdom to perceive and the courage to meet the responsibilities of his high position. That the great measures of public policy adopted by his Administration for the overthrow of the rebellion, the maintenance of the Union, and the enforcement of the laws, merit and receive our warmest endorsement and approbation, and that by a renomination and reelection to the office he now so ably fills, he should have the opportunity to finish the work of crushing out treason and rebellion, and we hereby declare it to be our deliberate conviction, that in adopting this resolution, we do but give expression to the will of the loyal people whom we represent.

Mr. Oliver moved the previous question, which was seconded, and the main question was ordered.

On the question, shall the resolution be adopted, the yeas and nays were demanded and ordered, resulting as follows :

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Buckham, Baylies, Carbee, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Garrett, Galland, Glendenning, Gilchrist, Hale, Hixon, Helm, Horton, Joy, Johnson, King, Knox, Latham, Logan, Lindley, Lindsey, Merriam, Maxwell, Mills, Moir, McNutt, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Russell of Washington, Runyan, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—55.

Those gentlemen voting nay were, Messrs. Bereman, Bruce, Bell, Carey, Campbell, Cort, Close, Fry, Fuller, Green, Hurst, Holdridge, Lathrop, Littler, Lyons, Magill, Meissner, Munsell, McCall, McCormick, McKnight, O'Brien, Paulk, Russell of Jones, Richards, and White—26.

Absent or not voting—Messrs. Burke, Brown, Christoph, Finkbine, Gose, Hildreth, Jeffries, McMaken, Sears, Stiles and Thompson.

The resolution was adopted.

Mr. Merriam moved to reconsider the vote just taken.

Mr. Russell, of Washington, moved to lay the motion to reconsider on the table. Carried.

Mr. Moir moved that when we adjourn it be until Monday morning at 10 o'clock. Carried.

On motion of Mr. Logan, House File No. 8, "A bill for an Act to provide for the printing and distribution of the Adjutant General's report, for 1864," was taken up, with the amendments adopted by the Senate.

Mr. Logan moved that the House do concur in the amendments. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Buckham, Baylies, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Galland, Glendenning, Gilchrist, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Joy, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Washington, Runyan, Sanderson, Simpson, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—68.

Those gentlemen voting nay were, Messrs. Andrews of Decatur, Bell, Carey, Cort, Garrett, Green, Johnson, McKnight, Russell of Jones, and Richards—10.

Absent or not voting, Messrs. Burke, Brown, Christoph, Finkbine, Goe, Hildreth, Jeffries, McMaken, Nelson, Sears, Sturgis, Stiles, Sweet and Vinton.

The bill passed.

Mr. Paulk, by leave, presented the petition of Isaac Greer, and others of Alamakee county, praying for an amendment in the School Law, increasing the duties and salary of County Superintendent. Referred to committee on School and Universities.

On motion, House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
SATURDAY, February 6th, 1864. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. Brazee.

Journal of Saturday read and approved.

## PETITIONS.

Mr. Oliver presented the petition of Wm. H. Price, and other voters of Carroll County, praying for an amendment in the School Law, by increasing the duties and compensation of County Superintendents. Referred to committee on Schools and Universities.

Mr. Bereman presented the petition of Andrew Goan and other citizens of Henry County, praying for a change in the system of County Government. Referred to committee on Township and County Organizations.

Mr. Paulk presented a resolution of the Board of Supervisors, of Allamakee County, praying for an amendment of Sec. 891 page 142, of the Laws of 1860. Referred to committee on Roads and Highways.

M. Sturges presented a resolution of the Board of Supervisors of Fayette County, relative to a division of the Office of Treasurer and Recorder, making it two offices. Referred to committee on Township and County Organizations.

## REPORTS OF COMMITTEES.

The Committee on the Judiciary, to whom was referred House File No. 63, "A Bill for an act fixing the compensation of District Attorneys," have had the same under consideration, and have instructed me to report the same back to this House, and recommend that it do not pass.

BEREMAN, Chairman.

The Committee on the Judiciary to whom was referred House File No. 81, "A Bill for an act to amend Section 4153 of Chapter 162, of the Revision of 1860," have had it under consideration, and they instruct me to report it back to this House, and recommend that it do not pass.

BEREMAN, Chairman.

The Committee on the Judiciary, to whom was referred House File No. 82, "A Bill for an act to amend Section 3293 of the Revision of 1860," have had the same under consideration, and they have instructed me to report the same back to this House, with a recommendation that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred House File No. 76, "A bill for an Act to repeal Sec. 4147, of Chap. 62, of the Revision of 1860, being an Act in relation to Sheriff's salaries," have had the same under consideration, and have instructed me to report it back to this House, with a recommendation that it do not pass.

BEREMAN, Chairman.

The Judiciary Committee, to whom was referred House File No. 79, "A bill for an Act to repeal Section 4786, Chap. 212, of the Revision of 1860," have considered the subject, and have instructed me to report the bill back to this House, and to recommend that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred House File No. 62, "A bill for an Act to amend Sec. 3983, of the Revision of A. D. 1860, in relation to evidence," have had the same under consideration, and, as they deem it impolitic to change the law on that subject, have instructed me to report the bill back, and recommend that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred House File No. 72, "A bill for an Act relating to Notaries Public, and defining certain duties, and prescribing certain penalties," have had the same under consideration, and, as they believe most of the provisions therein contained are substantially the law now, and that most that is new therein they deem inexpedient, they have instructed me to report the same back, recommending that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred Senate File No. 48, "A bill for an Act to provide for reporting the decisions of the Supreme Court of this State," have had the same under consideration, and have instructed me to report the same back to this House with certain amendments, with a recommendation that such amendments be made, and the bill do pass.

BEREMAN, Chairman.

Amendments recommended.

Strike of the 14th, 15th, and 16th lines of the 10th Section, the words, "and one to each public library in the State."

Also, add another Section after Section 12, viz: "Section 13, such reports shall not be sold by the Reporter or any other person at a rate higher than five dollars a volume; and if any person shall sell any volume of said Reports in violation of the provisions of this act, he shall on conviction thereof pay a fine of two hundred dollars."

The Judiciary Committee to whom was referred House File No. 71, "A bill for an Act to amend Section 4145 and 4147 of the Revision of 1860," have had the same under consideration, and have instructed me to report the same back to this House, and recommend its passage, with certain amendments.

A. H. BEREMAN, Chairman.

*Amendments.*—For the words "Revised Code" in the 1st Section, insert "Revision."

Strike out the 8d Section, and insert "Section 3." This Act being deemed of immediate importance by the General Assembly, shall take effect upon its publication in the *Daily State Register* and *Iowa Homestead*.

The Judiciary Committee to whom was referred the substitute for Senate File No. 82, "A bill for an Act supplemental to an Act to repeal Chap. 7, of the Laws of the State of Iowa, passed at the extra session of the Eighth General Assembly, entitled an act for the relief of volunteer soldiers from this State," have had the same under consideration, and I am instructed to report it back and to recommend its passage.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred Senate File No. 80, "A bill for an Act granting certain powers to the District Court of Lee county, and relief thereby to Jonathan Jones," have had the same under consideration, and have prepared a substitute, and they have instituted me to report the bill and substitute back to this House without any recommendation.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred House file No. 74, "A bill for an Act to amend Chapter 57, of the revision of 1860," have had the same under consideration, and have instructed me to report the same back to this house with a recommendation that it pass.

BEREMAN, Chairman.

The committee on Military Affairs, to whom was referred the petition of Capt. W. Hoyt, instruct me to report the same back, and recommend that no action be taken in the matter.

J. ANDREWS, Chairman.

On motion, report of the committee was adopted.

The committee on Military Affairs, to whom was referred Senate File No. 78, instruct me to report the same back, and recommend its passage.

J. ANDREWS, Chairman.

The committee on Military Affairs, to whom was referred Senate File No. 1, instruct me to report the same back, and recommend its passage with the following amendments :

Substitute for Section 2 the following: "This act shall take effect and be in force from and after the 1st day of April, 1864, and shall be published immediately in the *Daily State Register* and *Iowa Homestead*."

J. ANDREWS, Chairman.

The committee on Roads and Highways, to whom was referred Senate File No. 37, "A bill for an Act to amend Sec. 5, Chap. 163, of the 9th Session of the General Assembly, and to fix the per diem of the Road Supervisors," have had the same under consideration, and instructed me to report back the bill, with a substitute, and recommend the passage of the substitute.

E. DORR, Chairman.

The committee on Public Buildings and Property have examined the roof of the Capitol building carefully, and they have instructed me to recommend of the adoption of the following resolution:

*Resolved*, By the General Assembly, that the Secretary of State be, and he is hereby authorized to have the roof of the Capitol building repaired in the following manner: That portion of the roof immediately at the base of the dome, to be laid with tin instead of cloth, as it is now laid; the top of the dome to be laid with gutta percha instead of cloth, as it is now laid. Other portions of the roof, where there are leaks, to be repaired as he may think best.

W. HALE, Chairman.

On motion, the report was adopted.

Mr. Russell, of Washington, offered the following preamble and resolutions:

The Standing Committee on "Sanitary Affairs," have instructed me to report the following Preamble and Resolutions.

WHEREAS, At Extra Session of the 9th General Assembly an Act (Chapter 36) was passed (and became a law,) entitled "An Act for the appointment of Sanitary Agents," and to define their duties:

AND, WHEREAS, By the first Section of said act, "the Governor is authorized and required to appoint two or more agents (one of whom shall be Mrs. Wittenmeyer,) as "Sanitary Agents for the State of Iowa:"

AND, WHEREAS, The 3d Section of said act makes it the duty of the Governor to furnish out of his contingent fund, to said agents, from time to time, such sums of money as may be needed in order to procure and forward to our sick and wounded soldiers in the field, such articles as, in the opinion of the Governor, should be sent to them:

AND, WHEREAS, The 6th Section of said act provides that the Governor shall pay to such agents out of his Contingent Fund the "traveling expenses" and such further sum as their compensation as in his judgment may be reasonable and just; therefore

*Be it resolved*, That the Governor is hereby requested (at as early a day as possible,) to inform this House what person or persons (other than Mrs. Annie Wittenmeyer) were, by his predecessor, appointed "Sanitary Agents" under the requirements of the 1st Section of the Act cited in the foregoing Preamble; and what sum or

sums of money were by his predecessor furnished to Mrs. Annie Wittenmeyer, and what sum (if any) to each other agent under the provisions of the 3d Section of the Act above cited; and how said money was expended by said agents; and whether the "needed articles" therewith purchased, were furnished gratuitously to the sick and wounded soldiers in the field, or whether said articles were sold to said soldiers, and if sold, what disposition was made of the proceeds of such sales; and what sum or sums of money have been paid by him or his predecessor to Mrs. Annie Wittenmeyer or to each of the other agents under the provisions of the 6th Section of the Act cited in the foregoing Preamble, keeping *separate* and *distinct* the amount paid as "just and reasonable compensation," and the amount paid as "traveling expenses," as contemplated in said 6th Section, including "expenses" incurred in attending *Conventions*, Fairs, etc., in different places in the United States, or only those incurred in going to, remaining in, or returning from the field or hospital.

[Signed]

RUSSELL, of Washington, Chairman.

On motion, the rules were suspended and the report adopted.

#### INTRODUCTION OF BILLS.

Mr. Magill introduced House File No. 84, "A bill for an Act granting to Railroad Companies the right of way over the streets of incorporated towns and cities of the second class, and to provide for the payment of damages arising therefrom." Read a first and second time and referred to committee on Railroads.

Mr. Paulk introduced House File No. 85, "A bill for an Act to amend Sections 885 and 891 of the revision of 1860." Read a first and second time and referred to committee on Roads and Highways.

Mr. Nelson introduced House File No. 86, "A bill for an Act providing for recording U. S. Revenue Stamps to instruments of writing." Read a first and second time and referred to committee on Judiciary.

Mr. Parker introduced H. F. No. 87, "A bill for an Act to provide for the collection of money due the permanent School Fund of the State of Iowa," which, on motion, was laid on the table and ordered printed.

Mr. Nelson, introduced House File No. 88, "A bill for an Act to amend Section 3850, of Chapter 158, of the revision of 1860, so as to extend the Jurisdiction of Justices of the Peace." Read a first and second time and referred to committee on Judiciary.

Mr. Bell introduced House File No. 89, "A bill for an Act to amend Section 3805, of the revision of 1860." Read a first and second time and referred to committee on Judiciary.



## RESOLUTIONS.

Mr. McCormick offered the following resolution :

*Resolved by the General Assembly of the State of Iowa, That the Secretary of State be instructed to furnish the Governor, Lt. Governor, Secretary of State, Asst. Secretary of State, Auditor of State, Asst. Auditor of State, Treasurer of State, Asst. Treasurer of State, Register of State Land office, and his Assitant and Secretary of the Board of Education, and the principals of the State Institutions, with a copy of all reports of the Supreme Court of this State, now on hand, or which shall be published during the session of this General Assembly. Lost.*

Mr. Russell, of Washington from Joint committee to whom was referred the Resolution instructing the committee on ways and means to report to this House what legislation, if any, is necessary to provide by appropriation the necessary amount to supply the wants of the families of Iowa soldiers, reported the same back to the House and recommended that the resolution be adopted.

On motion the resolution was adopted.

On motion of Mr. Bereman, House File No. 45, "A bill for an Act to extend the Jurisdiction of County Courts in Civil and Criminal cases, and for other purposes," was called up, and referred to committee on Judiciary.

Senate File No. 70, "A bill for an Act for the relief of certain citizens of Keokuk county," was taken up, read a first and second time, and referred to committee on Claims.

Senate File No. 95, "A bill for an Act to provide for the preliminary survey of a ship-canal route from the State of Iowa eastward to the Illinois river," was taken up, read a first and second time, and referred to a select committee of seven, consisting of Messrs. Sanderson, Magill, Weare, Bell, Richards, Wolf and Burke.

House File No. 67, "A bill for an Act to amend an act entitled an act to provide for the appraisalment of property sold under execution," was taken up and read.

Mr. Baylies moved to strike out the third section of the bill.

Mr. Nelson moved the further consideration of the bill be made the special order for Thursday at 10 o'clock. Lost.

Mr. Paulk moved to strike out the enacting clause of the bill.

On motion House adjourned.

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Two o'clock P. M.

House met pursuant to adjournment.

The further consideration of the bill under discussion at the hour of adjournment was resumed.

Mr. Paulk moved the previous question, which was seconded. On the question to strike out the enacting clause, the yeas and nays were demanded, and ordered, resulting as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Carey, Carbee, Cort, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Garrett, Green, Hixson, Horton, Hurst, Holdridge, Latham, Littler, Lindley, Maxwell, Mills, Munsell, McNutt, O'Brien, Parker, Perry, Russell of Jones, Richards, Sturgis, Spurrier, Stanton, Smith, Thomson, Vinton and Weare—41.

The nays were, Messrs. Bruce, Baylies, Burke, Brown, Campbell, Close, Fry, Galland, Hale, Hildreth, Joy, Helm, Johnson, King, Knox, Lathrop, Logan, Lyons, Merriam, Magill, Moir, McCormick, Nelson, Oliver, Paulk, Pritchard, Potter, Russell of Washington, Sanderson, Simpson, Stiles, Skiles, Sweet, Van Sandt, Wolf, White and Mr. Speaker—37.

Absent or not voting, Messrs. Bereman, Christoph, Finkbine, Glendenning, Gose, Gilchrist, Jeffries, Lindsey, Meissner, McCall, McMaken, McKnight, Runyon and Sears.

The motion to strike out the enacting clause, prevailed.

Mr. Latham asked leave of absence for Mr. Meissner. Granted.

Mr. Helm asked leave of absence for Mr. Glendenning. Granted.

Senate File No. 9, "A bill for an Act to amend Chapter 53 of the Revision of 1860, entitled corporations other than those for pecuniary profit," was taken up, and on motion of Mr. Spurrier, the Bill was read a 3d time and put on its passage.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Green, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Joy, Johnson, Knox, Latham, Lathrop, Littler, Lindley, Lyons, Merriam, Maxwell, Mills, Munsell, Moir, McNutt, McCormick, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Sanderson, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—72.

The nays were, Mr. Richards—1.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Finkbine, Galland, Glendenning, Gose, Jeffries, King, Logan, Lindsey, Magill, Meissner, McMaken, McCall, McKnight, Runyon, Sears, Sturgis, and Weare.

The bill passed and the title was agreed to.

House File No. 61, "A bill for an Act for procuring certain statistical information, and imposing further duties upon certain officers

named therein," was taken up, and the amendments recommended by the committee were adopted.

On motion of Mr. Spurrier, the rule was suspended and the bill read a third time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fry, Garrett, Galland, Green, Gilchrist, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McNutt, McCormick, Oliver, O'Brien, Parker, Perry, Pritchard, Russell of Jones, Russell of Washington, Richards, Sanderson, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker.—68.

Those gentlemen voting nay, were Messrs. Andrews of Keokuk, Brown, Day, Hale, McKnight, Nelson, Paulk, Simpson, Sturgis.—9.

Absent or not voting, Messrs. Burke, Ohristoph, Fuller, Finkbine, Glendenning, Gose, Jeffries, Lindsey, Meissner, McMaken, McCall, Potter, Kuyon, Sears and Weare.

The Bill passed, the title was amended and agreed to.

House File No. 68, "A bill for an Act to promote the actual settlement of vacant and unimproved Lands within this State," was taken up with the report of the committee recommending that the Bill do not pass.

On motion, the report of the committee was adopted.

House File No. 69, "A bill for an Act to amend an Act in relation to revenue, of the Revision of 1860," was taken up with the report of the committee, that the Bill do not pass.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed House File No. 7, A bill for an act to amend Chap. 102, of the Acts of the 9th General Assembly, entitled an Act to provide for the publication and distribution of the Adjutant General's Report, with the following amendments:

Insert in the 9th line of section 1, after the word "Assembly," the following: "In addition to the copies heretofore delivered to them." In the 3d line of 2d section, strike out "three" and insert "five." Also that the Senate has concurred in the House amendment to Sec. 2 of Senate File No. 117, A bill for an Act making appropriation for the payment of mileage of the members of the Tenth General Assembly.

And also that the Senate has refused to concur in the amendment proposed by the House of Representatives to the third section of said bill.

WM. F. DAVIS, Sec'y Senate.

On motion, the report of the committee was adopted.

House File No. 70, "A bill for an Act compelling drovers to brand hogs and cattle," was taken up, with the report of the committee, recommending that the bill do not pass.

Mr. Maxwell moved to refer the bill to a special committee. Carried.

The Speaker appointed as the committee, Messrs. Gose and Spurrier.

Mr. Moir asked leave of absence for Mr. Holdridge. Granted.

Substitute for House Files Nos. 54 and 23, "A bill for an Act to legalize the acts of certain counties and municipal corporations in certain cases," was taken up.

On motion, the substitute was adopted.

Mr. Johnson offered the following amendment:

"*Provided*, That no part of the tax levied as aforesaid for the payment of bounties, shall be levied upon the property of veteran soldiers," which was ruled out of order.

On motion, the bill was read a third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Burke, Brown, Campbell, Carbee, Close, Clark, Day, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Green, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Jeffries, Joy, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Magill, Maxwell, Mills, Munsell, Moir, McNutt, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Runyan, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—69.

Those gentlemen voting nay were, Messrs. Buckham, Baylies, Carey, Cort, Johnson, Merriam, McCormick, McKnight, O'Brien, Paulk and Richards—11.

Absent or not voting, Messrs. Bell, Christoph, Darby, Finkbine, Glendenning, Gose, Gilchrist, Holdridge, Meissner, McMaken, McCall and Sears.

The Bill passed and the title as amended was agreed to.

Mr. Russell, of Washington, moved that the rule be suspended, and that the message from the Senate relating to the distribution of the report of the Adjutant General, be taken up. Carried.

On motion of Mr. Russell, of Washington, the House concurred in the Senate amendments.

On motion, the bill was read a third time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Burke, Brown, Campbell, Carbee, Close, Clark, Darby, Davis, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Gilchrist, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Maxwell, Mills, Munsell, McNutt, McCormick, McKnight, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Russell of Washington, Sanderson, Simpson, Sturgis, Stiles, Stanton, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, and Mr. Speaker—66.

The nays were, Messrs. Buckham, Baylies, Carey, Cort, Day, Dorr, Green, Littler, Magill, Moir, Nelson, Parker, Russell of Jones, Richards, Smith, and White.—16.

Absent or not voting.—Messrs. Christoph, Finkbine, Glendenning, Gose, Horton, Jeffries, Meissner, McMaken, McCall, Runyan, and Sears.

The bill was passed and the title agreed to.

Mr. Merriam, by leave, called up Senate File No. 117, "A bill for an Act making appropriation for the payment of the mileage of the members of the 10th General Assembly," which was returned to the House, the Senate refusing to concur in the House amendment to Section 8.

Mr. Gilchrist moved that the House recede from their amendment to Section 8 of the bill. Carried.

On the question, "Shall the bill pass as amended?" the yeas and nays were as follows:

Those gentlemen voting yea were, Messrs. Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Dorr, Elliott, Fenn, Fry, Garrett, Galland, Gilchrist, Hale, Hildreth, Helm, Horton, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McNutt, McCormick, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyan, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—75.

The nays were, Messrs. Andrews of Keokuk, Davis, Fuller, Green, McKnight, O'Brien and Russell of Washington—7.

Absent or not voting.—Messrs. Christoph, Finkbine, Glendenning, Gose, Hixon, Jeffries, Meissner, McMaken, McCall and Sears.

The Bill passed and the title was agreed to.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
TUESDAY, February 9th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Brayer.

Journal of yesterday read and approved.

PETITIONS.

Mr. Sanderson presented a memorial of the City Council of Dayton, asking an appropriation to defray the expense of the preliminary survey of a Ship Canal.

Also, a similar memorial of A. C. Fulton and others. Referred to special Committee on Ship Canal.

Mr. Darbey presented the petition of J. D. Todd and fifty others, praying for a Commissioner system and County Assessor. Referred to Committee on County and Township Organization.

Mr. McCormick presented the petition of J. O. Hough and other voters of Marion County, praying for an amendment to the School Law, increasing the duties and compensation of County Superintendents. Referred to Committee on Schools and Universities.

REPORTS OF COMMITTEES.

I am instructed by Committee of Ways and Means to report back to this House, House File No. 57, "A bill for an Act entitled an act to amend Section 711, Chapter 45 of the Revision of 1860," and recommend that it do not pass.

W. J. GILCHRIST, Ch'n.

The Committee on Schools and State University, who were instructed to report "A Bill abolishing the Board of Education and providing for the appointment or election of a school officer to take the place of the present Secretary of said Board," have attended to the duties thus enjoined upon them, and have instructed me to report the Bill herewith submitted, and recommend its passage.

HILDRETH, Ch'n.

On motion of Mr. Moir, the rules were suspended, Bill read a 1st and 2d time and laid on the table and ordered to be printed.

MR. SPEAKER:—The Joint Committee on Enrolled Bills beg leave to report that they have examined House File No. 8, and Senate Files No. 39, 49 and 76, find the same correctly enrolled, and present them for your signature.

ALEX. RUNYON, Ch'n. Com. on Enr. Bills.

The Committee on Elections to whom was referred Senate File No. 25, "A bill for an Act to amend Section 80 of Chapter 29 of

the laws of the extra session of the 9th General Assembly, have had the same under consideration, and have instructed me to report the same back to this House, with the following amendment, to-wit: After the word "Regiment" in the 3d line of Section 9 of said chapter, add "Or soldiers in hospital," and so amended, recommend its passage.

LITTLER, Ch'n.

The committee on Library, to whom was referred Senate File No. 52, "A bill for an Act appropriating money for the State Library," after having had the same under consideration, have instructed me to report back the same, with the recommendation that it pass.

E. N. STILES, Chairman.

The standing committee on Railroads, to whom was referred House File No. 84, "A bill for an Act granting to railroad companies the right of way over the streets of incorporated towns and cities of the second class, and to provide for the payment of damages arising therefrom," have instructed me to report the same back, with the following amendments, and recommend its passage as amended:

1st. Insert after the word "streets," in the title of the bill, and wherever the same word may occur in the said bill, the words, "or other ways."

2d. Strike out in the title of the bill, and from the 3d and 4th lines of Sec. 1, the words, "of the second class."

MAGILL, for committee.

Mr. Sturgis moved that the vote by which the House struck out the enacting clause of House File No. 67, "A bill for an Act to amend an Act entitled, an Act to provide for the appraisement of property sold under execution," be reconsidered." Carried.

#### INTRODUCTION OF BILLS.

Mr. Buckham introduced House File No. 91, "A bill for an Act to authorize the several County Treasurers in this State to invest certain moneys of the State in U. S. revenue stamps." Read a first and second time, and referred to committee on Township and County Organizations.

Mr. Fry introduced House File No. 92, "A bill for an Act to amend Sec. 316, Chapter 22, Article 11, of the Revision of 1860."

Read a first and second time, and referred to committee on Judiciary.

Mr. Oliver introduced House File No. 93, "A bill for an Act prohibiting officers of counties, townships, district townships and municipal corporations, from taking the indebtedness of such corporations at less than its expressed value." Read a first and second

time, and referred to committee on County and Township Organizations.

Mr. Hildreth introduced House File No. 94, "A bill for an Act to amend an Act entitled, an Act for the government and regulation of the State University of Iowa." Read a first and second time, and Mr. Knox moved that the bill be laid on the table. Carried.

**BILLS AND RESOLUTIONS READ A SECOND TIME.**

House File No. 67, "A bill for an Act to amend an Act entitled an Act to provide for the appraisement of property sold under execution," was taken up. The question recurring on striking out the enacting clause, it did not prevail.

A motion to strike out the 3d Section of the bill was carried.

Mr. Hale moved to strike out Section 4. Carried.

Mr. Bereman moved to strike out Sec. 5. Carried.

Mr. Bereman moved that the bill be engrossed and read the third time to-morrow. Carried.

Senate File No. 80, "A bill for an Act granting certain powers to the District Court of Lee County, and relief thereby to Jonathan Jones," was taken up with the substitute bill introduced by committee on Judiciary.

Mr. Bereman moved that the substitute be adopted.

On motion of Mr. Sears, the House adjourned.

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**TWO O'CLOCK, P. M.**

House met pursuant to adjournment.

The consideration of the question under discussion at the hour of adjournment, was resumed.

Mr. Spurrier moved to lay the whole matter on the table. Carried.

Senate File No. 48, "A bill for an Act to provide for reporting the decisions of the Supreme Court, of this State," was taken up, with the amendments recommended by the Judiciary committee.

Mr. Paulk moved to amend the amendment of the committee, striking out of the 14th, 15th, and 16th lines of the 10th Section, the words, "and one to each public library in the State," by inserting "every public law library." Lost.

Mr. Galland moved to amend by inserting "to each public library in the State, not including district and Sunday school libraries." Lost.



The motion to strike out, as recommended by the committee on Judiciary, prevailed.

On motion, the following amendment, suggested by the committee, was adopted.

"Section 13. Such reports shall not be sold by the reporter, or any other person, at a rate higher than five dollars a volume; and if any person shall sell any volume of said reports in violation of the provisions of this act, he shall, on conviction thereof, pay a fine of two hundred dollars."

Mr. Bereman moved that the Bill be read a third time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carbee, Close, Clark, Darby, Davis, Dorr, Fenn, Fry, Fuller, Finkbine, Glendenning, Green, Gose, Gilchrist, Hale, Hixon, Helm, Horton, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Merriam, Magill, Maxwell, Mills, Moir, McNutt, McCall, McCormick, Nelson, Oliver, Paulk, Perry, Pritchard, Potter, Russell of Washington, Runyan, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Vinton, Weara, Wolf and Mr. Speaker—68.

The nays were, Messrs. Andrews of Decatur, Carey, Campbell, Cort, Day, Garrett, Galland, Littler, Lyons, Munsell, McKnight, O'Brien, Parker, Russell of Jones, Richards, Sears and White—17.

Absent or not voting, Messrs. Christoph, Elliott, Hildreth, Holdridge, Meissner, McMaken and Van Sandt.

The bill passed and the title was amended and agreed to.

Mr. Bell moved to adjourn. Lost.

House File, No. 74, "A bill for an Act to amend Chap. 57, of the Revision of 1860, was taken up.

On motion of Mr. Moir, the rule was suspended, the bill read a third time and put on its passage.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Baylies, Burke, Brown, Carbee, Close, Clark, Day, Darby, Dorr, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Green, Gose, Gilchrist, Hale, Hixon, Helm, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McNutt, McCall, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Runyan, Sanderson, Sears, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Weara, White and Mr. Speaker—70.

The nays were, Messrs. Bell, Buckham, Carey, Campbell, Cort,

Davis, Elliott, Glendinning, Hildreth, Horton, McKnight, O'Brien, Paulk, Richards and Vinton—15.

Absent or not voting, Messrs. Christoph, Holdridge, Meissner, McMaken, Stungis, Van Sandt and Wolf.

The bill passed and the title was agreed to.

Mr. Gose moved to adjourn. Lost.

Mr. Davis asked for leave of absence for Mr. Van Sandt. Granted.

Senate File No. 1, "A bill for an Act to repeal Chap. 17 of the extra session of the Ninth General Assembly of 1862, entitled an Act to provide for the protection of the southern border of this State," was taken up, with the report of the committee on Military Affairs.

Mr. Glendinning moved to lay the bill on the table. Carried.

On motion of Mr. Knox, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
WEDNESDAY, February 10th, 1864. }

House met pursuant to adjournment.

Prayer by the Rev. P. F. Brasee.

Journal of yesterday read and approved.

PETITIONS.

Mr. Wolf presented the petition of P. T. Smith and other citizens of Cedar County, praying for the prohibition of the manufacture of Ale, Beer, &c. Referred to Committee on Intemperance.

Mr. Hildreth presented the petition of J. W. Smith and other citizens of Floyd County, for an increase of the duties and pay of County Superintendents. Referred to Committee on Schools and Universities.

Mr. Burke presented the petition of M. M. Watkins and other citizens of Bremer County, praying for a law empowering each township to levy a tax for the purpose of paying a Township bounty to persons who have enlisted or may enlist in the United States military service. Referred to select Committee on Soldiers Relief.

Mr. Campbell presented the petition of G. Y. Carpenter and other citizens of Mahaska County, praying for an amendment to the School Law, increasing the duties and compensation of County Superintendents. Referred to Committee on Schools and Universities.

Mr. Simpson presented the bill of Goodwin & Pursey for repairing clock, &c. Referred to Committee on Claims.

Mr. Hixson presented a letter from Finley B. McGrew on the subject of Dogs and Dog Laws. Referred to Committee on Agriculture.

Mr. Littler presented the petition of Peter McAlvoy and other citizens of Washington County, remonstrating against the repeal of the prohibitory Liquor Law. Referred to Committee on Intemperance.

Mr. Green presented the petition of the Board of Supervisors of Jackson County, relative to the passage of a law authorizing the collection of taxes in the several townships. Referred to Committee on County and Township Organization.

#### REPORTS OF COMMITTEES.

The committee on Claims, to whom was referred House File No. 40, "A bill for an Act for the relief of Wm. Burton," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House with the recommendation that it do not pass. All of which is respectfully submitted.

MOIR, Chairman.

Your committee, to whom was referred House File No. 67, hereby report that said bill has been examined, and we believe it has been correctly engrossed.

VINTON, for Committee.

The committee on County and Township Organization, to whom was referred House File No. 93, "A bill for an Act prohibiting officers of counties, townships, district townships and municipal corporations from taking the indebtedness of such corporations at less than its expressed value," have considered the same, and deeming the provisions of Article 6, Chap. 91, of the revision of 1860, sufficient in the premisses, have directed me to report it back to this House, recommending that it do not pass.

O. NELSON, Chairman.

The committee on Claims, to whom was referred the claim of Andrew Murry for services at the State Capitol, by order of the Secretary of State, have had the same under consideration, and have recommended that the claim be allowed, and referred to committee on Ways and Means, to be incorporated into the general appropriation bill.

F. H. CAREY, for Committee.

The committee on county and township organization, to whom was referred House File No. 91, "A bill for an Act to authorize the several County Treasurers in this State to invest certain moneys of

the State in the United States Revenue Stamps," have directed me to report the accompanying substitutes therefor, and recommend its passage.

O. NELSON, Ch'n.

#### INTRODUCTION OF BILLS.

Mr. Baylies introduced House File No. 96, "A bill for an Act apportioning the State of Iowa into representative districts." Read a first and second time, and, on motion, laid on the table and ordered to be printed.

Mr. Oliver introduced House File No. 97, "A bill for an Act requiring county supervisors to give bonds." Read a first and second time, and referred to committee on County and Township Organizations.

Mr. Davis introduced House File No. 98, "A bill for an Act providing for the election of a Board of Supervisors, and defining their duties." Read a first and second time.

Mr. Davis moved that the bill be laid on the table and ordered printed. Lost.

On motion of Mr. Russell, of Jones, the bill was referred to committee on County and Township Organizations.

Mr. Fry introduced House File No. 99, "A bill for the relief of the families of non-commissioned officers and private soldiers, who have been or now are in the United States service. Read a first and second time, and, on motion, was laid on the table and ordered printed.

Mr. Merriam introduced House File No. 100, "A bill for an Act amendatory of Sec. 313, of Chap. 22, of the Revision of 1860." Read a first and second time, and referred to committee on Printing.

Mr. Finkbine, by leave, called up House File No. 94, "A bill for an Act to amend an Act entitled an Act for the government and regulation of the State University of Iowa," and moved that it lie on the table, and ordered printed. Carried.

By leave, Mr. Stiles, from the committee to visit the Iowa Hospital for the Insane, submitted the following report, which, on motion of Mr. Galland, was laid on the table and ordered to be printed.

The committee appointed by joint resolution of the Senate and House of Representatives to visit the Iowa Hospital for the Insane, at Mt. Pleasant, have visited that Institution, and beg leave to submit the following report:

The committee, desiring to recommend that an appropriation be made, sufficient to make such improvements *only* as are actually needed, gave each of the objects for which appropriations are asked by the Trustees and Superintendent in their report, a careful examination; and while the Committee fully concur with the officers of

the Asylum, that everything for which they ask an appropriation is needed, we think, as large amounts are at present required to prosecute the war, and to build up other State institutions, an appropriation for some of the purposes mentioned by them may, and perhaps should, be deferred till the meeting of the next General Assembly, or until peace shall be restored and a more favorable change of the times shall have taken place.

They, the Trustees and Superintendent—ask the following amounts, for the following purposes :

1st—To finish the unfinished wards,.....	\$4,000
2d—Furniture for same,.....	2,500
3d—Gas Works,.....	4,000
4th—Constructing additional Cistern,.....	1,500
5th—Reconstructing Sewers,.....	1,000
6th—Contingent Repairs,.....	1,500
7th—Grading and repairing Grounds,.....	1,000

Making an aggregate of.....15,500

Your committee would urge an appropriation of the amounts stated below, for the following purposes, and give them in the order of their importance :

1st—To repair and extend the Sewers,.....	\$1,000
2d—Pavement around the Hospital,.....	1,000
3d—To finish Wards,.....	4,000
4th—To furnish them,.....	2,500
5th—To construct Cistern,.....	1,500
6th—For Contingent Expenses,.....	500

Making a total of .....10,500

We believe that these improvements are almost indispensable to the well being and prosperity of the institution, and highly conducive to the best interests of the State. We will speak of these items in their order as above stated :

First: It is of the greatest importance that the sewers which are underneath the main passages of the building, carrying off the drain from the water closets, and constructed of brick, should be taken up, and cast iron pipes about 8 inches in diameter be substituted, for the reason that in spite of all attention and effort, leakages have escaped through these brick sewers, causing noxious gases to arise, which are necessarily carried up with the heated air, through the flues, to every part of the building, and especially into the wards of the patients which are directly over them, thus unavoidably endangering the health and lives of the patients.

Second: A pavement around the whole building, about ten feet wide, is, in our estimation, necessary, in order to carry water off

from the building and to prevent it soaking down around the foundation. We noticed that the cellar floor was wet in many places around on the inside of the foundation walls, and that it was standing two or three inches deep in one place. This water evidently soaked through under the foundation, and thus renders liable and likely in time its sinking and cracking.

Third: The unfinished wards are nearly completed. They need little more than painting after the windows are supplied with grates and finished; and as all of the finished wards are now full, and as the unfinished wards will certainly be needed before the next session of the General Assembly, good policy as well as humanity dictates and requires that they should be at once put in order for the reception of patients.

Fourth: If the wards should be completed, they must be furnished, and as additional furniture must, by some means, be obtained for this, we think the sum of \$2,500 not too much for this purpose.

Fifth: Owing to the fact that the supply of water furnished by the Artesian well is so strongly impregnated with lime and other foreign substances as to make it very injurious and ruinous upon the steam and water-pipes which are used in heating and supplying the building with water, we think an additional cistern should be constructed, as the injury to these pipes and machinery would soon be much greater than the cost of the cistern.

Sixth: In recommending that \$500 be appropriated for contingent expenses, we believe it is as small an amount as the institution should be limited to for the many incidental expenses which must unavoidably arise.

It is, in our estimation, highly important that the grounds around the building should be planted with evergreens and forest trees, and we think that an appropriation of \$1,000 for this purpose could be profitable expended. Should trees be now planted, they would in a few years add greatly to the beauty of the grounds, and have an excellent effects upon the patients.

The whole building is supplied with gas pipes, yet we think it unnecessary at this time to make any appropriation for the purpose of putting in gas works.

It is probably cheaper to light the building with coal oil, but this material is not as safe as gas would be. The safety of the building seems to be the principal reason for desiring gas, and as the building is otherwise well secured, we do not think that gas is at this time absolutely indispensable.

The Superintendent says in his report that "a plain but commodious carriage or light omnibus should be procured, in order that the more feeble patients may ride. This much-needed aid to other treatment has never yet been afforded this institution." We fully concur with the opinion of the Superintendent in this matter.

While an appropriation for the improvement of the grounds and

for the purchasing of a carriage, *might* be deferred for two years longer, and are, perhaps, not so absolutely necessary as other matters mentioned above, we think it would be better to provide for each at his time, and we would recommend that for all of the objects herein specified, an appropriation of \$12,000 be made.

Your Committee feel that they cannot close this report without expressing their entire satisfaction with the general management of this institution. The building is not only well arranged for the accommodation of its unfortunate inmates, but it seems to be the especial study of the Superintendent, his assistant, and the Steward and Matron, to make every inmate as comfortable and cheerful as possible, and to surround them with just such influences as are calculated to bring health and vigor to both body and mind.

Iowa may well be proud of the magnificent building which in her generosity she has erected for the reception and treatment of her unfortunate children. And she may also be proud of the wisdom and ability with which her charitable designs are being carried into practical operation in the most excellent management of this institution.

EDWARD H. STILES,  
D. A. HURST,  
Com. on part of House.  
J. W. DIXON,  
On part of Senate.

#### MESSAGES AND COMMUNICATIONS.

The following communication was received and read:

IOWA CITY, February 5, 1864.

*Hon. Jacob Butler, Speaker of the House of Representatives of Iowa :*

HONORED SIR: Please accept from the publishers, Messrs. Brewer & Tileston, of Boston, Mass., the accompanying copy of Worcester's Quarto Dictionary, as a permanent possession of the House of Representatives of the State of Iowa. It is presented, at my instance, by gentlemen who have contributed much to enlarge the domain of American literature, especially by the issue of this their crowning work, from the "Athens of America," as their city has been long and justly styled.

With sentiments of high consideration and respect,

I am truly yours,

SAMUEL STORRS HOWE.

Mr. Paulk moved to accept the gift, and that the thanks of this House be tendered to the donors. Carried,

## BILLS AND RESOLUTIONS READ SECOND TIME.

Substitute for Senate File No. 32, "A bill for an Act supplemental to an Act to repeal Chap. 7, of the Laws of the State of Iowa, passed at the extra session of the Eighth General Assembly, entitled an Act for the relief of volunteer soldiers from this State," approved April 7th, 1862, was taken up.

On motion of Mr. Bereman, the bill was ordered to be engrossed, and read a third time to-morrow.

## MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following joint resolution:

*Resolved, by the General Assembly of the State of Iowa, That there be printed three thousand (3,000) copies of the report of Mrs. Annie Wittenmeyer, State Sanitary Agent, and that fifteen hundred copies of said report be placed in the hands of said agent for distribution to the Aid Societies and to the army, five hundred copies for the use of the Senate, and, one thousand copies for the use of the House of Representatives.*

That the Senate has passed the following bills, to wit:

Senate File No. 99, "A bill for an Act for the encouragement of Public Libraries.

Senate File No. 16, "A bill for an Act to amend Chap. 46, of the Revision of 1860, entitled, 'Of Roads and Highways.'"

Senate File No. 10, "A bill for an Act to amend Sec. 5 of Chap. 19 of the acts of the 9th General Assembly, entitled an Act fixing the salaries of certain officers.

House File No. 26, "A bill for an Act to amend Chap. 173 of Revision of 1860, concerning offenses against public health.

And House File No. 34, "A bill for an Act to provide for issuing certain legal processes on Sunday.

The Senate has also passed the accompanying Joint Resolution, asking Congress to grant an extension of time in which the State is to erect an Agricultural College.

In all of which, the concurrence of the House is respectfully asked.

W. F. DAVIS, Sec'y of Senate.

Substitute for Senate File No. 37, "A bill for an Act fixing the per diem of Road Supervisors," was taken up.

Mr. Finkbine moved to amend Sec. 1, by striking out the words "shall perform the same labor as any other able-bodied man, and." Carried.

Mr. Thompson offered the following amendment,

*Provided*, that a day's work shall be construed to be eight hours diligently spent in the performance of his official duties as Road Supervisor.



Mr. Oliver moved to amend by striking out Sec. 1 and substitute the following:

SECTION. 1. *Be it enacted by the General Assembly of the State of Iowa*, that so much of Sec. 5 of Chap. 163 of the Laws of the 9th General Assembly, as amends or repeals any part of section 888 of the Revision of 1860, be and is hereby repealed, so that each Board of Supervisors shall hereafter receive the sum of one dollar and fifty cents for each day spent in the discharge of his official duties.

Mr. McNutt moved the previous question, which was seconded. On the question, "Shall the main question be now put?" it was decided in the affirmative.

The amendment offered by Mr. Oliver was then adopted.

The amendment offered by Mr. Thompson was lost.

Mr. Moir moved that the bill be engrossed and read a 3d time tomorrow. Carried.

House File No. 71, "A bill for an Act to amend Sections 4145 and 4147 of the Revision of 1860," with the report of the committee to whom the bill was referred recommending amendments, was taken up.

On motion, the amendments were adopted.

Mr. Oliver moved that the bill be laid on the table. Carried.

Senate File No. 78, "A bill for an Act to repeal Chap. 39 of the laws of the extra session of the 9th General Assembly," was taken up.

Mr. Galland moved that the bill be read a third time and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildrath, Hixon, Helm, Hurst, Horton, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, McCormick, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker.—87.

The nays were none.

Absent or not voting, Messrs. Christoph, Holdridge, Lindsey, McMaken and McKnight.

The bill passed and the title was agreed to.

Senate File No. 52, "A bill for an Act appropriating money for the State Library," was taken up.

Mr. Paulk moved to strike out, in Sec. 2, the word "Governor," and insert "Auditor of State." Carried.

Mr. Baylies moved to strike out "5,000," in Sec. 1, and insert "3,000."

On motion, the House adjourned.

Two o'clock P. M.

House met pursuant to adjournment.

The consideration of the question under discussion at the hour of adjournment was resumed.

Mr. Pritchard moved the previous question, which was seconded.

By leave, the previous question was withdrawn.

Mr. Russell, of Jones, moved that the bill and amendments be laid on the table, and demanded the yeas and nays, which were ordered, resulting as follows:

The yeas were, Messrs. Andrews of Keokuk, Bruce, Bromley, Bell, Buckham, Campbell, Carbee, Day, Dorr, Fry, Fuller, Green, Gose, Horton, Hurst, Littler, Lindley, Meissner, Mills, Moir, McNutt, McKnight, Parker, Russell of Jones, Russell of Washington, Simpson, Sweet, Thompson, Vinton, Weare and White—31.

The nays were, Messrs. Andrews of Decatur, Bereman, Baylies, Brown, Carey, Cort, Close, Clark, Darby, Davis, Elliott, Fenn, Finkbine, Garrett, Galland, Glendenning, Gilchrist, Hale, Hildreth, Hixon, Helm, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Lindsay, Lyons, Merriam, Magill, Maxwell, Munsell, McCall, McCormick, Nelson, Oliver, O'Brien, Paulk, Perry, Prichard, Potter, Richards, Runyon, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Van Sandt, Wolf and Mr. Speaker.—57.

Absent or not voting, Messrs. Burke, Christoph, Holdridge and McMaken.

The motion did not prevail.

The question recurring on the motion to strike out "5000" and insert "3000," the yeas and nays were demanded and ordered, resulting as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Baylies, Brown, Campbell, Carbee, Close, Day, Darby, Davis, Fenn, Fry, Fuller, Garrett, Glendenning, Green, Gose, Gilchrist, Hildreth, Horton, Hurst, Knox, Logan, Littler, Lindley, Lyons, Meissner, Mills, Munsell, Moir, McNutt, McKnight, Nelson, Parker, Russell of Jones, Russell of Washington, Simpson, Smith, Spurrier, Thompson, Vinton, Weare and White—48.

The nays were, Messrs. Bereman, Bromley, Carey, Cort, Clark,

Elliott, Finkbine, Galland, Hale, Hixson, Helm, Jeffries, Joy, Johnson, King, Latham, Lathrop, Lindsey, Merriam, Magill, Maxwell, McCall, McCormick, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Richards, Runyan, Sanderson, Sears, Sturgis, Stiles, Stanton, Skiles, Sweet, Van Sandt, Wolf and Mr. Speaker—40.

Absent or not voting, Messrs. Burke, Christoph, Holdridge and McMaken.

The motion prevailed.

On motion of Mr. Oliver, the rule was suspended, the bill read a 3d time and put upon its passage. On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bromley, Buckham, Baylies, Brown, Carey, Carbee, Cort, Close, Clark, Darby, Davis, Elliott, Fenn, Finkbine, Garrett, Galland, Glendenning, Gilchrist, Hale, Hildreth, Hixon, Helm, Jeffries, Joy, Johnson, King, Latham, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Moir, McNutt, McCall, McCormick, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Richards, Runyan, Sanderson, Sears, Sturgis, Stiles, Smith, Skiles, Spurrier, Van Sandt, Wolf and Mr. Speaker—61.

The nays were, Messrs. Bruce, Bell, Campbell, Day, Dorr, Fry, Fuller, Green, Gose, Horton, Hurst, Knox, Littler, Lindley, Meissner, Munsell, McKnight, Parker, Russell of Jones, Russell of Washington, Simpson, Stanton, Sweet, Thompson, Vinton, Weare and White—27.

Those gentlemen absent or not voting, were Messrs. Burke, Christoph, Holdridge and McMaken.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed Senate File No. 36, "A bill for an Act to amend Chap. 173 of the laws of the 9th General Assembly in relation to the office of city and town assessors," in which the concurrence of the House is respectfully asked.

W. F. DAVIS, Sec'y Senate.

Mr. Runyan from committee on Enrolled Bills, reported as follows:

MR. SPEAKER:—The joint committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 9 and 12, find the same correctly enrolled and present them for your signature.

ALEX. RUNION, Ch'n. Com. on Enr. Bills.

MR. SPEAKER:—The joint committee on Enrolled Bills beg leave to report that they have delivered to his Excellency, the Governor, for his approval House Files Nos. 84 and 9.

ALEX. RUNYON, Ch'n. Com. on Enr. Bills.

Senate File No. 25, "A bill for an Act to amend Sec. 30 of Chap. 29 of the laws of the extra session of the 9th General Assembly," with the report of committee recommending amendments, was taken up.

Mr. Russell of Washington, moved that the bill be recommitted, with instructions to the committee to report another section to the bill, embodying the amendment. Carried.

On motion, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
THURSDAY, February 11th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Mr. McCague.

Journal of yesterday read and approved.

PETITIONS.

Mr. Bell presented the petition of Cyrus True, and other citizens of Pottowattamie county, in reference to a tri-weekly mail route. Referred to committee on Federal Relations.

Mr. Finkbine presented the petition of Wm. E. Moon, and other citizens of Johnson county, praying for a law to provide for the relief of families of soldiers of Iowa, &c. Referred to committee on Sanitary Affairs.

Mr. Campbell presented the petition of Charles Beardsley, and other citizens of Mahaska county, remonstrating against any change in the present Liquor Law. Referred to committee on Intemperance.

Mr. Logan presented the petition of A. M. Dawley, and other citizens of Webster county, asking that the duties of County Recorder be attached to the office of Probate Judge. Referred to the committee on County and Township Organization.

Also another petition asking for the repeal of the Supervisor System, and the establishment of the Commissioner System. Referred to committee on Township and County Organization.

Mr. Hurst presented the petition of J. B. Glenn, and other citizens of Davis county, asking for a change in the management of county officers. Referred to committee on Township and County Organization.

Mr. Elliott presented the petition of W. M. Miller of Ringold county, praying for a law to restrain all kinds of stock from running at large. Referred to committee on Agriculture.

Mr. Weare presented the petition of Jas. Statford, and other citizens of Linn county, praying for a change in the school law, amending by increasing the duties and compensation of County Superintendent.

#### REPORTS OF COMMITTEES.

The committee on Claims, to whom was referred the claim of F. Streeter for \$8,00, for two days' services as Sergeant at-Arms *pro tem.*, have instructed me to report back to this House that the sum of \$8,00 be allowed, and the same be referred to committee on Ways and Means, to be incorporated in the general appropriation bill.

CLARK, for Committee.

On motion, report was adopted.

Mr. Simpson, by leave, presented, the claim of J. H. Taylor, for lumber and work about the Capitol. Referred to committee on Claims.

Mr. McNutt presented the claim of John Patterson, for services as Door-keeper *pro tem.* two days. Referred to committee on Claims.

The committee on the Judiciary, to whom was referred Senate File No. 72, "A bill for an act to amend Sec. 3723 of the Revision of 1860," have had the same under consideration, and have instructed me to report it back to the House, with the recommendation that it be laid upon the table.

J. L. McCORMACK.

Your committee, to whom was referred House File No. 33, have had the same under consideration, and have instructed me to report the same back, with a substitute, and recommend that the substitute do pass.

WM. L. JOY, for Judiciary Committee.

MR. SPEAKER: The joint committee on Enrolled Bills beg leave to report that they have examined "Joint Resolution to Distribute Supreme Court Reports," and House File No. 7, find the same correctly enrolled, and present them for your signature.

ALEX. RUNYON,

Chairman House Committee on Enrolled Bills.

MR. SPEAKER: Your committee on Engrossed Bills, to whom was referred substitute for Senate File No. 32, and substitute for Senate File No. 37, hereby report that said bills, after engrossment, have been examined; and your committee believe them to have been correctly engrossed.

VINTON, Chairman *pro tem.*

The committee on Roads and Highways, to whom was referred House File No. 85, a bill to amend Sections 885 and 891 of the Revision of 1860, have had the same under consideration, and have instructed me to report the bill back and recommend its passage.

E. DORR, Chairman.

The committee on Agriculture, to whom was referred House File No. 58, "A bill for an Act relating to branches of learning to be taught in State University, and further to endow the same," have had the same under consideration, and have directed me to report the same back to the House, and to state that the committee consider it inexpedient to divert any of the lands donated by the Congress of the United States to the State of Iowa for the purpose of endowment of a college or colleges for the benefit of agriculture and the mechanic arts, and, further, to recommend that the bill do not pass.

H. M. THOMSON, Chairman.

The special committee to whom was referred the claim of J. D. Davis, have instructed me to report the same back to the House and recommend that he be allowed forty dollars, and that the same be referred to the standing committee on Ways and Means, and that it be allowed in the general appropriation bill.

By order of committee.

N. BAYLIES.

On motion of Mr. Moir, the report was adopted.

#### INTRODUCTION OF BILLS.

Mr. Knox introduced House File No. 101, "A bill for an Act to amend an Act entitled an Act to amend Chap. 45 of the Revision of 1860, passed at the regular session of the 9th General Assembly, in relation to revenue." Read a first and second time, and referred to committee on Judiciary.

Mr. Munsell, by leave, offered the following resolution:

*Resolved*, That no member shall be allowed to speak longer than ten minutes at one time, during the remainder of this session, without the consent of the House.

Laid over for one day.

MR. SPEAKER:—The committee on Agriculture, to whom was referred the report of the Secretary of the Board of Trustees of the State Agricultural College and Farm, have had the same under consideration, and have instructed me to report back to the House, and to state, that as there is much valuable information contained in said report, your committee recommend that 10,000 copies of the same be printed for distribution, as follows, to-wit: 1,000 copies to be deposited in the office of said Secretary of State Agricultural College Board; 1,000 copies to the Secretary of State Agricultural

Society for distribution amongst county agricultural societies; 25 copies, to be deposited in the State Library, and the remainder to be distributed equally amongst the members of the Senate and House of Representatives, and that the cost of such printing be defrayed from the balance of the contingent fund now remaining unexpended in the hands of the Secretary of the Agricultural College, he having informed the committee that there is a sufficient amount for that purpose.

H. M. THOMSON, Chairman.

Russell of Washington moved to refer the report to committee on Printing. Lost.

On the question, "Shall the report be adopted?" the yeas and nays were demanded, and ordered, resulting as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Garrett, Galland, Glendenning, Gilchrist, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Litter, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meisner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Perry, Potter, Russell of Jones, Richards, Runyan, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—82.

The nays were, Messrs. Fry, Finkbine, Green, Paulk, Pritchard, Russell of Washington and Stiles—7.

Absent or not voting, Messrs. Gose, Holdridge, and Logan.

The report was adopted.

Mr. Bruce offered the following resolution which was referred to committee on Schools and Universities.

*Resolved*, That the committee on Schools and Universities be instructed to report a bill so to amend the school law as to extend the privileges of our district schools to soldiers who have enlisted or may enlist in the service of our country in their minority, and thereby are deprived of the advantages of said schools. Therefore

*Resolved*, That when such soldiers shall have been honorably discharged from service, they shall be entitled (free of charge,) to the privilege of our district schools for such length of time as they would have been had they not entered the service.

Mr. Moir offered the following resolution, which on motion, was adopted.

*Resolved*, That the use of this Hall be granted to the members of the "3d House" on Saturday evening.

#### MESSAGES AND COMMUNICATIONS ON THE TABLE.

Senate resolution relating to the printing of the report of Mrs.

Anna Wittenmeyer, State Sanitary Agent, was taken up.

Mr. Oliver moved that the resolution of the Senate and the report, be referred to committee on Sanitary Affairs. Carried.

Senate File No. 99, "A bill for an Act for the encouragement of Public Libraries, was taken up, read a 1st and 2d time and referred to committee on Library.

Senate File No. 16, "A bill for an Act to amend Chap. 46 of the Revision of 1860," was taken up, read a 1st and 2d time and referred to committee on Roads and Highways.

Senate File No. 10, "A bill for an Act to amend Sec. 5 of Chap. 19 of the acts of the 9th General Assembly, entitled an Act fixing the salaries of certain officers," was taken up, read a 1st and 2d time and referred to committee on Judiciary.

Senate joint resolution relating to Agricultural College, was taken up, read and referred to committee on Agriculture.

Senate File No. 36, "A bill for an Act to amend Sec. 2 Chap. 173, of the acts of the 9th General Assembly, in relation to city and town Assessors," was taken up, and read a 1st and 2d time.

Mr. Merriam offered the following amendment:

Add to Sec. 1st, the following: "Providing, also, that nothing in this act, or the act of which this is amendatory, shall be construed to forbid the election of a City Assessor for city purposes by the City Council of any city incorporated by special acts of the General Assembly of this State."

Mr. Oliver moved to commit the bill and amendment to committee on Judiciary. Carried.

House File No. 84, "A bill for an Act granting to Railroad Companies the right of way over the streets of incorporated towns and cities of the second class, and to provide for the payment of damages arising therefrom," was taken up.

Mr. Magill moved to recommit the bill to committee on Railroads. Carried.

House File No. 85, "A bill for an Act to amend Sections 885 and 891, of the revision of 1860," was taken up.

Mr. Knox moved to strike out Sec. 2.

On motion, the House adjourned.

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Two o'clock, P. M.

House met pursuant to adjournment.

The consideration of the question under discussion at the hour of adjournment was resumed.

Mr. Finkbine moved to recommit the bill to committee on Roads and Highways. Carried.



Mr. Oliver, by leave, called up House File No. 37, "A bill for an Act fixing the per diem of Road Supervisors," and moved it be re-committed to committee on Roads and Highways. Carried.

Substitute for House File No. 71, "A bill for an Act to amend Sections 4145 and 4147, of the revision of 1860," was taken up.

Mr. McNutt moved to strike out Sec. 2, and insert the following: "Sec. 2. Section 4147, of the revision of 1860, is hereby repealed and the following enacted in lieu thereof: Sec. 4147: The Sheriff is also entitled for delivering notices (including mileage) and for other services for which no other compensation is allowed by law, to receive such annual salary, not less than twenty, nor more than eighty dollars as may be fixed by the County Supervisors."

Mr. Stiles moved to amend by striking out 80 and inserting 120. Carried.

On motion, the amendment as amended, was adopted.

Mr. Moir moved that the bill be engrossed and read a third time to-morrow. Carried.

House File No. 33, "A bill for an Act entitled an Act to prevent fraud by Weigh Masters of public scales," with the substitute reported by committee, was taken up.

Mr. Spurrier moved the adoption of the substitute. Carried.

Mr. Bereman moved to strike out the last section. Carried.

Mr. Spurrier moved that the bill be engrossed and read a third time to-morrow. Carried.

Senate File No. 72, "A bill for an Act to amend Sec. 3723, of the revision of 1860," was taken up.

Mr. Bereman moved that the bill be laid on the table. Carried.

House File No. 91, "A bill for an Act to authorize the several county Treasurers in this State to invest certain moneys of the State in U. S. Revenue Stamps," was taken up, with substitute bill reported by the committee.

Mr. Buckham moved to adopt the substitute. Carried.

Mr. Hale moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Brown, Carey, Campbell, Close, Clark, Day, Darby, Dorr, Fenn, Fry, Fuller, Galland, Glendenning, Gose, Gilchrist, Hale, Hildreth, Hixon, Hurst, Jeffries, Joy, Johnson, King, Latham, Logan, Lindley, Lindsay, Lyons, Merriam, Magill, Maxwell, Meisener, Mills, Munsell, McMaken, McNutt, McCormick, Nelson, Parker, Paulk, Perry, Potter, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Thompson, Vinton, Wolf, White and Mr. Speaker—59.

The nays were, Messrs. Bereman, Baylies, Burke, Carbee, Cort, Davis, Finkbine, Garrett, Green, Horton, Lathrop, Littler, Moir,

Oliver, O'Brien, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Spurrier, Sweet and Weare—23.

Absent or not voting, Messrs. Bell, Christoph, Elliott, Helm, Holdridge, Knox, McCall, McKnight, Pritchard and Van Sandt.

The bill passed and the title was agreed to.

#### BILLS ON THIRD READING.

House File No. 67, "A bill for an Act to amend an Act entitled an Act to provide for the appraisement of property sold under Execution," was taken up, and read a 3d time. On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Baylies, Burke, Campbell, Carbee, Cort, Close, Clark, Darby, Dorr, Elliott, Fry, Finkbine, Garrett, Green, Gose, Gilchrist, Hale, Hildreth, Hixon, Helm, Jeffries, Joy, Johnson, King, Latham, Lathrop, Littler, Lindsey, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCormack, Oliver, O'Brien, Paulk, Perry, Potter, Russell of Jones, Runyon, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Sparrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—62.

The nays were, Messrs. Buckham, Brown, Carey, Day, Davis, Fenn, Fuller, Galland, Glendenning, Horton, Hurst, Knox, Logan, Lindley, Lyons, Nelson, Parker, Pritchard, Richards, Stiles, Sweet, and Weare.—22.

Absent or not voting, Messrs. Christoph, Holdridge, Magill, McCall, McKnight, and Russell of Washington.

The bill passed and the title was agreed to.

Substitute for Senate File No. 32, "A bill for an Act supplemental to an Act to repeal Chap. 7, of the laws of the State of Iowa, passed at the extra session of the 8th General Assembly, entitled an Act for the relief of volunteer soldiers for the State, approved April 7th, 1862," was taken up, read a third time, and on the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Green, Gose, Gilchrist, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCormack, McKnight, Nelson, Oliver, Parker, Paulk, Perry, Potter, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—83.

The nays were, Mr. O'Brien—1.

Absent or not voting, Messrs. Christoph, Finkbine, Glendenning, Holdridge, McCall, Pritchard, Russell of Jones, and Weare.

The Bill passed and the title was agreed to.

Mr. White called up House File No. 78, "A bill for an Act making the Township Clerk collector of taxes," and moved that it be referred to committee on County and Township Organization. Carried.

Mr. Hurst moved to take from the table the motion to reconsider the vote adopting the joint resolution endorsing Abraham Lincoln, &c.

Mr. Andrews of Keokuk moved to adjourn. Lost.

Mr. Darby moved that when the House adjourn that it be until 7½ o'clock this evening, to consider the matter under discussion. Lost.

Mr. Bromley moved to adjourn. Lost.

On the question, "Shall the motion to reconsider be taken from the table?" the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bereman, Baylies, Campbell, Elliott, Finkbine, Garrett, Glendenning, Green, Hurst, Latham, Logan, Merriam, Moir, McMaken, O'Brien, Parker, Perry, Russell of Washington, Sanderson, Sears, Stanton, Skiles, Spurrier, Van Sandt, Vinton, Weare and Mr. Speaker.—27.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Brown, Carey, Carbee, Cort, Close, Clark, Darby, Davis, Dorr, Fenn, Fry, Fuller, Galland, Gose, Hildreth, Hixson, Helm, Horton, Jeffries, Joy, Johnston, King, Knox, Lathrop, Littler, Lindley, Lyons, Magill, Maxwell, Meissner, Mills, Munsell, McNutt, McCormack, McKnight, Nelson, Oliver, Paulk, Pritchard, Potter, Russell of Jones, Richards, Runyon, Simpson, Sturgia, Stiles, Smith, Sweet, Thompson, Wolf and White.—57.

Absent or not voting, Messrs. Burke, Christoph, Day, Gilchrist, Hale, Holdridge, Lindsey and McCall.

The motion was lost.

On motion, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
FRIDAY, February 12th, 1864. }

House met pursuant to adjournment.

Prayer by the Rev. Mr. McCague.

Journal of yesterday read and approved.

## PETITIONS.

Mr. Littler presented the petition of L. B. Fleak and other citizens of Washington county, protesting against the repeal of the Liquor Law. Referred to committee on Intemperance.

Mr. Parker presented the petition of Geo. Bryant and other citizens of Clinton county, praying for a repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Bereman presented the petition of J. B. Drayer and other citizens of Henry county, remonstrating against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Fenn presented the petition of J. A. Hallock and other citizens of Audubon county, praying for an amendment in the law regulating the time of holding courts, &c., &c. Referred to committee on Judiciary,

Mr. Davis presented the petition of Wm. T. Reid and other citizens of Montgomery county, praying for an amendment in the School Law, increasing the duties and compensation of County Superintendent. Referred to committee on Schools and Universities.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, to wit:

Senate File No. 54, "A bill for an Act to locate the executive office and provide for official records.

House File No. 53, "A bill for an Act to provide for the appointment of commissioners to settle with certain sureties of James D. Eads, late Superintendent of Public Instruction, and conferring certain other powers upon said commissioners.

Senate File No. 109, "A bill for an Act to amend Chap. 51 of the Revision of 1860, in relation to the incorporation of cities and towns.

Senate File No. 33, "A bill for an Act to fix the salary of the Adjutant General."

Also, Senate File No. 122, "A bill for an Act to annul Section 3304 of the Revision of 1860, in relation to Exemptions."

In all of which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

## REPORTS OF COMMITTEES.

The committee on claims to whom was referred Senate File No. 70, "A bill for an Act for the relief of certain citizens of Keokuk County," beg leave to report that they have had the same under con-

sideration, and have instructed me to report the accompanying substitute therefor, and recommend the passage of said substitute; all of which, is respectfully submitted.

MOIR, Chairman.

The joint committee on Enrolled Bills, beg leave to report that they have presented to his Excellency the Governor, for his approval House File No. 7, and a "joint resolution to distribute Supreme Court Reports."

A. RUNYON, Ch'n. House Com. on Enr. Bills.

MR. SPEAKER:—The joint committee on Enrolled Bills, beg leave to report that they have examined House File No. 34 and Senate File Nos. 78 and 117, find them correctly enrolled, and present the same for your signature.

A. RUNYON, Ch'n. House Com. on Enr. Bills.

MR. SPEAKER:—Your committee on Engrossed Bills to whom were referred House File No. 33, and House File No. 71, beg leave to report that said bills after engrossment, have been examined, and your committee believe them to have been correctly engrossed.

VINTON, Ch'n. pro tem.

The committee to whom was recommitted Senate File No. 25, "A bill for an Act to amend Sec. 30 of Chap. 29 of the laws of the extra session of the 9th General Assembly, have had the same under consideration and have instructed me to report the same back to this House with the following Section added as an amendment.

SEC. 2. That the rights and privileges extended by Secs. 8 and 9 of Chap. 29, to any Regiment, Battalion, Battery or Company of Iowa soldiers, be and the same are hereby extended to any part of a company or to soldiers in any hospitals.

And so amended, recommend its passage.

LITTLER, Chairman.

The undersigned, members of the select committee to whom was referred Senate File No. 95, entitled "An Act to provide for the preliminary survey of a ship canal route from the State of Iowa eastwardly to the Illinois river," have had the same under consideration, and beg leave to report the same back to this House without amendment, and recommend its passage.

WM. SANDERSON,  
A. J. BELL,  
WM. P. WOLF.

Which, on motion, was laid on the table.

#### INTRODUCTION OF BILLS.

Mr. Stiles introduced House File No. 102, "A bill for an Act re-

lating to Life Insurance Companies." Read a first and second time, and, on motion of Mr. Finkbine, was laid on the table and ordered printed.

Mr. Sears introduced House File No. 108, "A bill for an Act to amend Article 9 of Chap. 89 of the Revision of 1860." Read a first and second time, and referred to committee on Schools and Universities.

#### RESOLUTIONS.

Mr. Close offered the following resolutions:

WHEREAS, Certain officers holding commissions and commands in the 9th regiment of Iowa cavalry volunteers, were ordered on duty by the Governor of this State prior to the organization and muster into the United States service of said regiment; and

WHEREAS, The Paymaster General of this State doubts his authority, under the existing laws, to pay said officers for said services; therefore

*Resolved*, That the committee on Military Affairs be instructed to enquire what further legislation, if any, is necessary to provide for paying said officers for the services so rendered, and report by bill or otherwise.

The resolution was adopted.

#### MESSAGES AND COMMUNICATIONS.

Senate File No. 54, "A bill for an Act to locate the executive office, and provide for official record," was taken up, read a first and second time, and referred to committee on Judiciary.

Senate File No. 33, "A bill for an Act to fix and provide for the salary of the Adjutant General," was taken up, read a first and second time, and referred to committee on Military Affairs.

Senate File No. 109, "A bill for an Act to amend Chap. 51 of the Revision of 1860, in relation to the incorporation of cities and towns," was taken up, read a first and second time, and referred to committee on Judiciary.

Senate File No. 122, "A bill for an Act to amend Sec. 3304 of the Revision of 1860, in relation to exemption," was taken up, read a first and second time, and referred to committee on Judiciary.

#### BILLS READ SECOND TIME.

Senate File No. 25, "A bill for an Act to amend Sec. 30, of Chap. 29, of the laws of the extra session of the 9th General Assembly," with report of the committee, recommending an amendment by adding Sec. 2, was taken up.

Mr. Baylies moved that the report of the committee be adopted. Carried.

Mr. Paulk moved to amend as follows: "*Provided*, That the number of Commissioners shall not exceed the whole number of Iowa regiments." Adopted.

On motion the bill was ordered to be read the 3d time and put upon its passage:

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Litter, Lindley, Lindsey, Lyons, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Runyan, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—83.

The nays were, Messrs. Merriam and Richards—2.

Absent or not voting—Messrs. Day, Darby, Holdridge, Magill, O'Brien, Sears and Weara.

The bill passed.

Mr. Oliver moved to amend the title by striking out all after the word amend, and insert "Cap. 29 of the laws of the extra Session of the 9th General Assembly." Carried.

The title, as amended, was agreed to.

Mr. Logan asked for leave of absence for Mr. Day. Granted.

Mr. Moir asked leave of absence for Mr. Weara. Granted.

Mr. Bell asked leave of absence for Mr. Darby. Granted.

Senate File No. 70, "A bill for an Act entitled an Act for the relief of certain citizens of Keokuk County," was taken up, with the substitute bill, introduced by the committee.

On motion of Mr. Galland, the Substitute Bill was adopted.

Mr. McNutt offered the following amendment to Sec. 4. "And to John Lardner of Muscatine, the sum of fifty dollars."

Mr. Elliott moved to lay the whole matter on the table. Lost.

Mr. Finkbine moved to recommit the bill to committee on Claims, with instructions to embody in the bill a clause enabling the Auditing Board to audit these and similar accounts. Carried.

Mr. Baylies moved to suspend the rule, and that House File No. 73, "A bill for an Act authorizing the Trustees of the Iowa State Agricultural College and farm to sell all lands acquired, granted, donated or appropriated for the benefit of said college, and to make an investment of the proceeds thereof," be taken up. Carried.

On motion, the bill was referred to committee on Agriculture.

Mr. Sears moved to adjourn. Carried.

Two o'clock P. M.

House met pursuant to adjournment.

## BILLS ON THEIR PASSAGE.

House File No. 71, "A bill for an Act to amend Secs. 41, 45 and 4147 of the Revision of 1860," was taken up, read a 3d time, and on the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Davis, Dorr, Fry, Fuller, Glendenning, Gose, Hildroth, Halm, Hurst, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Magill, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Sanderson, Sears, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—66.

The nays were none.

Absent or not voting—Messrs. Baylies, Burke, Christoph, Day, Darby, Elliott, Fenn, Finkbine, Garrett, Galland, Green, Gilchrist, Hale, Hixon, Horton, Holdridge, King, Lindley, Merriam, Maxwell, McCall, McKnight, Russell of Washington, Runyon, Stargis, and Weare.

The bill passed and the title was agreed to.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has refused to concur in the joint resolution of the House, appointing a committee to visit the Blind Asylum, at Vinton, Iowa.

Also, that the Senate has passed the following bill, in which the concurrence of the House is respectfully asked, to wit:

House File No. 52, "A bill for an act supplemental to an act entitled an act for the benefit of railroad companies, Sec. 1339, of the Revision of 1860, with the following amendment: Add "Sec. 3. Publication Clause."

WM. F. DAVIS, Secretary Senate.

Substitute for House File No. 33, "A bill for an Act entitled an act to prevent fraud by weigh-masters of public scales," was taken up and read a third time.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of De-



catur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Davis, Dorr, Fenn, Fry, Fuller, Garrett, Hale, Hildreth, Helm, Horton, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Magill, Maxwell, Meissner, Mills, Munsell, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Potter, Ranyan, Sanderson, Sears, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—71.

The nays were, Messrs. Glendenning, Green, Gose, Moir, Pritchard, Russell of Jones, and Richards—7.

Absent or not voting, Messrs. Burke, Day, Darby, Elliott, Finkbine, Galland, Gilchrist, Hixson, Holdridge, Merriam, McKnight, Russell of Washington, Sturgis, and Stiles.

The bill passed and the title was agreed to.

Mr. Parker, by leave, submitted the following report:

The committee on Military Affairs to whom was referred Senate File No. 38, "A bill for an Act to fix and provide for the salary of the Adjutant General," have instructed me to report the same back to the House and recommend its passage.

**PARKER**, for the Committee.

Mr. Parker moved to suspend the rule, and that the bill be read a 3d time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bell, Baylies, Burke, Brown, Carbee, Clark, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Glendenning, Gose, Gilchrist, Hale, Hildreth, Helm, Horton, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Ranyan, Sanderson, Sears, Stiles, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt and Mr. Speaker—64.

The nays were, Messrs. Bromley, Buckham, Carey, Campbell, Cort, Close, Fry, Garrett, Green, Littler, Lyons, O'Brien, Richards, Simpson, Stanton, Vinton, Wolf and White—18.

Absent or not voting, Messrs. Christoph, Day, Darby, Galland, Hixson, Holdridge, Merriam, Russell of Washington, Sturgis and Weare.

The bill passed and the title was agreed to.

#### MESSAGES AND COMMUNICATIONS.

That part of the Senate's message announcing the refusal of the

Senate to concur in the House resolution appointing a joint committee to visit the Blind Assylum, was taken up.

Mr. Knox moved that the subject be laid on the table. Carried.

House File No. 52, "A bill for an Act supplemental to an Act entitled an act for the benefit of Railroad companies," was taken up, and on motion, the Senate amendment to add Section 3d, "the publication clause," was concurred in.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Cort, Christoph, Close, Clark, Davis, Dorr, Elliott, Fenn, Finkbine, Garrett, Glendenning, Green, Gose, Gilchrist, Hale, Hixson, Helm, Horton, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsay, Lyons, Magill, Maxwell, Meissner, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson, Van Sandt, Wolf, White and Mr. Speaker—73.

The nays were, Messrs. Burke, Fry, Fuller, Hildreth, McKnight, Simpson, and Vinton—7.

Absent or not voting, Messrs. Carbee, Day, Darby, Galland, Holdridge, Merriam, Mills, Munsell, Sturgis, and Weare.

The bill passed, and the title was agreed to.

Mr. Cort, by leave, called up House File No. 57, "A bill for an Act to amend Sec. 711 of Chapter 45 of the Revision of 1860."

Mr. Lindsey moved that the bill be referred to a special committee of three. Carried.

The Speaker appointed as such committee Messrs. Lindsay, Cort and O'Brien.

Mr. Finkbine, by leave, introduced House File No. 104, "A bill for an Act to amend Chap. 77 of the Acts of the 9th General Assembly." Read a first and second time, and referred to committee on Expenditures.

Mr. Stiles moved that when the House adjourn it be until Monday at 10 o'clock. Carried.

Mr. Knox, by leave, offered the following resolution, and moved its adoption. Carried.

*Resolved*, That the committee on Military Affairs be directed to report what further laws are necessary to provide for payment of officers in the 7th Cavalry Iowa Volunteers, and which have not been provided for by the United States while said officers were in command of volunteers from this State for United States service.

Mr. Bereman offered the following resolution:

*Resolved*, That the Adjutant General be directed to report to this House the amounts paid to officers in the Southern Border Brigade.

Mr. Oliver moved that the rule be suspended, and that the resolution be acted on now. Carried.

Mr. Russell, of Washington, moved to strike out "directed" and insert "requested." Carried.

Mr. Johnson moved to amend by inserting "Northern Border Brigade." Carried.

The rules were suspended and the resolution was adopted.

Mr. Finkbine, by leave, introduced the following resolution, and moved its adoption, which was lost:

*Resolved*, That the committee on Military Affairs be required to report whether there is any necessity for an increase of salary in the office of Assistant Adjutant General.

Mr. Magill asked for leave of absence for himself. Granted.

Mr. Magill, from Committee to whom was referred Senate File No. 95, "A bill for an Act to provide for the preliminary survey of a ship-canal route from the State of Iowa eastward to the Illinois River," presented a majority report, and, on motion, the bill and report was laid on the table.

Mr. Bereman called up Senate File No. 109, "A bill for an Act to amend Chap. 51 of the Revision of 1860, in relation to the incorporation of cities and towns," and also substitute for Senate File No. 36, "A bill for an Act to amend 173 of the laws of the 9th General Assembly, in relation to the office of City and Township Assessors," and moved that they be referred to a select committee of seven. Carried.

Mr. Panlk offered the following resolution:

*Resolved*, That the committee on Judiciary be and are hereby instructed to enquire into and ascertain what further Legislation is necessary, if any, to confer upon the State Board of Claims, full power, authority and jurisdiction to hear and determine all claims of such a nature as it allowed, they would be payable out of the war and defense fund, and to report by bill if they deem further Legislation expedient.

The resolution was adopted.

Mr. Magill moved that Senate File No. 95, "A bill for an Act to provide for the preliminary survey of a Ship Canal route from the State of Iowa eastward to the Illinois River," and the report of the committee, be made the special order for Friday next at 10½ o'clock.

Mr. Sanderson moved to amend by striking out "Friday" and inserting Monday. Lost.

The motion of Mr. Magill prevailed.

Mr. Thompson, by leave, introduced House File No. 105, "A bill for an Act to amend Sec. 712, Chap. 45, of the revision of 1860." Read a first and second time, and referred to committee on Ways and Means.

Mr. Johnson asked leave of absence for himself. Granted.

The Speaker appointed as Special Committee of seven, Messrs.

Bereman, Merriam, Sanderson, Richards, Finkbine, Magill and Bell.  
On motion, House adjourned until Monday morning at 10 o'clock.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
MONDAY, February 15th, 1864. }

House met pursuant to adjournment.  
Prayer by Rev. Dr. Peet.  
Journal of Friday read and approved.

PETITIONS.

Mr. Bell presented the petition of Wm. G. Myers, and other citizens of Monona County, asking that there be no change in the Supervisor system. Referred to committee on County and Township Organizations.

Also, a petition from Edward Winger, same county, praying for the establishment of the Commissioner system for that of Supervisor system, which was referred to same committee.

Mr. Moir presented the petition of Jesse Turner, and other citizens of Hardin County, praying for the passage of a law for the relief of all mortgagors of property, &c. Referred to committee on Judiciary.

Mr. Bruce presented the petition of James C. Braden, and other citizens of Des Moines County, remonstrating against the repeal of the present Liquor Law. Referred to committee on Intemperance.

Mr. Logan presented the petition of F. A. Metcalf and others, of Pocahontas County, praying for an increase of the duties and compensation of County Superintendents. Referred to committee on Schools and Universities.

Mr. Fuller presented three petitions from the citizens of Jones County, each praying for a Registration Law, which were referred to committee on Elections.

Mr. Oliver presented the petition of John Purdy and others, of Crawford County, in relation to swine and sheep running at large. Referred to committee on Agriculture.

Mr. White presented the petition of Daniel Lowe and others, of Clayton County, praying for a law abolishing the Board of County Supervisors, &c. Referred to committee on County and Township Organizations.

Mr. Simpson presented a bill of Evan Rees, for coal furnished to the State House. Referred to committee on claims.

Mr. Russell, of Jones, presented a memorial of H. D. Smith, re-

lating to the road law. Referred to committee on Roads and Highways.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed Senate File No. 69, "A bill for an Act to amend Chap. 67 of the Revision of 1860," in which the concurrence of the House is respectfully asked.

Also, that the Senate has concurred in the House amendments to Senate File No. 48, "A bill for an Act to provide for reporting, publishing and distributing the decisions of the Supreme Court of this State."

Also, that the Senate has refused to concur in the House amendments to Senate File No. 52, "A bill for an Act appropriating money for the State Library."

WM. F. DAVIS, Secretary of Senate.

The following message was received from the Governor at the hands of his private Secretary, Mr. Orwig:

EXECUTIVE OFFICE,  
DES MOINES, Feb. 13th, 1864. }

*Gentlemen of the House of Representatives:*

I have the honor to be in receipt of the resolution adopted by your honorable body, calling upon me for specific information in regard to the following subjects:

*First.* What person or persons, other than Mrs. Annie Wittenmeyer, were by my predecessor appointed Sanitary Agents, under the provisions of Chap. 36, acts of the special Session of the Ninth General Assembly?

*Second.* What sum or sums of money were by my predecessor furnished to Mrs. Annie Wittenmeyer, and what sum, if any, to each other agent, under the provisions of the 3d section of said chapter, and how much of said money was expended by said agents?

*Third.* Whether the "needed articles" therewith purchased were furnished gratuitously to the "sick and wounded soldiers in the field," or whether such articles were sold to said soldiers, and, if so, what disposition was made of the proceeds of said sales?

*Fourth.* What sum or sums of money have been paid by me, or my predecessor, to Mrs. Annie Wittenmeyer, and to each of the other agents, under the provisions of the 6th section of said chapter, keeping *separate* and *distinct* the amount paid as "just and reasonable compensation," and the amount paid as "traveling expenses?"

*Fifth.* Whether "traveling expenses" as contemplated in said 6th section, included expenses incurred in attending Conventions, Fairs, &c., in different places in the U. States, or only those incurred in going to, remaining in, and returning from the fields or hospitals.

The importance of the information contemplated by your resolution, and of the subjects embraced within the range of its inquiries, are duly appreciated. But when I remind you of the fact, that there is no law requiring the Governor of this State to keep and transmit to his successor, a record of his official acts, or to keep an Executive office in which information may be preserved, your honorable body will readily perceive the impossibility of complying with resolutions of this character by furnishing the information called for. Anxious as I am to afford the General Assembly the benefit of any facts which properly ought to be matter of record in the Executive office, and to co-operate with them in all matters pertaining to the interests of the State, I cannot be expected to give a history of the administrations of my predecessors, when they have left no records, or even "sketches by the way," from which an authentic narrative of their transactions could be written. I intend no reflection upon these distinguished gentlemen. That they ably performed their various duties, and faithfully discharged every obligation imposed upon them by the laws of the State, is evidenced by the repeated and gratifying expressions of popular approbation they have received. And if they transmitted to me no records of their official doings it is because no provision is made for such records.

I am informed by Gov. Kirkwood, that some time after the passage of the act referred to, and in pursuance of its provisions, he appointed Dr. Ennis of Cedar Rapids, a State Sanitary Agent, who, after a brief period of service, resigned his position. The Governor then appointed Dr. A. S. Maxwell, of Davenport, who served for the period of nine months, at a compensation of \$140 per month, and until the commencement of my administration. From the report of this agent, which is herewith transmitted, you will have before you a history of his transactions, with an account of his expenses, &c. I have not been able to learn that any other agents were appointed by Gov. Kirkwood, under the provisions of the chapter above cited.

I also transmit to you a copy of an account stated by Gov. Kirkwood between him and Mrs. Wittenmeyer, (see exhibit "A,") which gives the aggregate of her expenditures, and the amount of compensation allowed her. From this exhibit it will be observed that she received for expenses connected with her agency, the sum of \$1,850, while her total expenditures amount to \$1,960.77, leaving the sum of \$110.77 expended beyond the amount of money furnished her. The compensation allowed her was \$100 per month, as certified to me by Gov. Kirkwood, and she was in the service of the State, under his direction, for the period of fifteen and a half months, making \$1,560 as compensation, and \$110.77 balance due her as stated for expenses, a total of \$1,660.77, which sum has been paid to her by me, as shown by her receipt attached to said exhibit. For a more detailed statement see the report of Mrs. Wittenmeyer, now

in possession of the General Assembly. I have also paid J. Dial, local agent at Memphis, \$112.70, and to J. O. Todd, agent at Keokuk, \$149.11, balances due them for services rendered prior to the first day of January last, and the further sum of \$219.87 to Gov. Kirkwood, being the amount expended by him beyond the fund in his hands.

The Report of Gov. Kirkwood, now in possession of the General Assembly, will doubtless advise you of the items for which the contingent fund placed under his control was expended.

For the reasons already stated, I am unable to answer your resolution further.

I may be allowed to avail myself of this opportunity, to present, for the consideration of your honorable body, some observations, which, to my mind, are material as to the general management of Sanitary matters. The obligations we owe to the thousands of our brave and patriotic citizens in the field, and the desire which we all entertain to successfully discharge that obligation, will be sufficient apology for extending this communication beyond the strict limits of a reply to your resolution.

This wide field of Christian labor should engage the earnest attention of all who are capable of sympathizing with our sick and wounded soldiers, and of understanding their necessities. Whilst we admire the history of their gallant deeds, and boast of the honor they have so nobly won for the State, we should not forget the fact, that not an hour passes which does not witness the most intense anguish among these heroic men, lying in the comfortless tent, and unfurnished hospital. Prostrated by diseases which spare not, and by wounds received in the front of battle, too many of them are allowed to suffer, and die, for the want of those cheering comforts which should flow to them in unceasing streams from this highly favored and plentiful State. Our admiration, and our sympathies, should assume a tangible form. Eloquent commendations and elaborate eulogies, while they may express the grateful sentiments of patriotic hearts, do not afford substantial relief to the suffering soldier.

My own observation has fully impressed me with the conviction that our efforts in this direction, should be so classified and arranged as to insure system in our operations, and harmony and co-operation among the several agents. Without this our most earnest labors will be fruitless of good to our soldiers, and the money appropriated be uselessly expended. We may be generous and yet economical.

At least one agent should be located in each department of the army where Iowa regiments are serving, under specific instructions to remain there, and attend to the distribution of sanitary stores in the department assigned him. The stores contributed by our people, are forwarded to the field through the United States and West-

ern Sanitary Commissions, which saves us the cost of transportation. This arrangement relieves the State of a heavy expenditure. When the goods are received at the field depots of these commissions our own agents can receive them, or goods in lieu of them, and see that they are properly distributed to Iowa soldiers. Our State agents, therefore, need do no more than operate between the troops in the field and hospitals and these sanitary depots, which will afford them sufficient employment, and secure the proper distribution of sanitary stores to our men. The expense of traveling from point to point in the army will thereby be avoided by our agents, and their time may be exclusively employed, as it should be, in attending to the wants of the soldiers.

The State Sanitary Commission coincide with me in the adoption of this system, and it will be carried out unless the General Assembly otherwise direct.

I shall also make personal application to the War Department, for an order requiring Quartermasters of the army to furnish transportation to our State agents, which, if granted, will save another heavy item of expenditure.

It will also be necessary, as heretofore, to keep local agents at the prominent military points within the lines of the army, such as Memphis, Nashville, Vicksburg, and others, whose duty it shall be to look after the welfare of Iowa soldiers who may, from time to time, be transferred to the hospitals at those points; and keep their friends at home, and the State authorities, advised of their condition. For this purpose I shall endeavor to have reliable and intelligent soldiers detailed from our regiments, who will discharge these duties equally well, and at less expense than civilians appointed and paid by the State for that purpose.

Salaries paid to agents should be sufficient to afford them a reasonable remuneration for their services, but not so high as to make it a matter of individual profit. Agents who are willing to undertake this great work, as a matter of Christian and patriotic duty, will, as a general rule, accomplish more good than those who are induced to engage in it by a money consideration. It may be necessary, however, to procure the services of one or two medical gentlemen, who cannot be expected to leave their practice for the same salary paid to other agents. These should be fairly compensated for their skill.

I have been induced by the grave importance of the subject and the deep interest which I know the members of your honorable body take in the welfare of our brave soldiers, to present the foregoing considerations. They are the views I entertain on this subject, and have been suggested to me by experience and observation.

W. M. STONE.



## EXHIBIT "A."

THE STATE OF IOWA in acct. with Annie Wittenmyer, State Agent.  
1864. Dr.

To office expenses at St. Louis and Vicksburg, and clerk hire		
paid to Miss Shelton and Mr. Mathis, voucher No. 1...		\$384.44
To expenses paid Miss Shelton, voucher No. 2.....		113.45
To expenses of self, voucher No. 3.....		1097.58
To expenses and pay of Mr. Milne, as clerk, voucher No. 4		107.00
To paid Dr. Maxwell, voucher No. 4.....		175.00
To expenses from Aug. 1, 1862, when I received \$300.00		
from Gov. Kirkwood, to Sept. 25, 1862, when I com-		
menced work as Agent under State law, voucher No. 4.		83.30
		\$1960.77

1862. <span style="float: right;">Cr.</span>	
August 1.	By cash received of Gov. Kirkwood.....\$300.00
Dec. 12.	" " " " ..... 500.00
1863.	
March 5.	" " " " ..... 50.00
March 31.	" " " " ..... 100.00
May 25.	" " " " ..... 300.00
August 8.	" " " " ..... 100.00
Sept. 21.	" " " " ..... 100.00
Sept. 23.	" " " " ..... 100.00
Dec. 8.	" " " " ..... 300.00
\$1850.00	
Balanco due Mrs. Wittenmyer..... 110.77	
S. J. KIRKWOOD.	

DES MOINES, IOWA, Jan. 23, 1864.

HIS EXCELLENCY, W. M. STONE, GOVERNOR OF IOWA:—Sir: I have settled with Mrs. Annie Wittenmyer, State Agent, her account of expenses, &c., showing a balance in her favor of \$110.77. She holds a voucher of Major Scott, for pay for \$53.58, which belongs to this State. She has been acting as State Agent, under the law of extra session of 1862, to the date of your inauguration, fifteen and one half months, for which she is entitled to pay.

I think she should receive as compensation, the sum of one hundred dollars per month, over and above her expenses, making total of.....\$1,550.00  
And her own expense account..... 110.77

\$1,660.77

She delivering to you for collection for State voucher of Major Scott.

Very respectfully, your obedient servant,

SAMUEL J. KIRKWOOD.

Received the above amount (\$1,660.77) in full, of Gov. Stone, Feb. 10th, 1864.

ANNIE WITTENMYER.

#### REPORTS OF COMMITTEES.

I am instructed to report back to this House House File No. 1, "A bill for an Act to amend Chapter 45 of the Revision of 1860, and for the relief of disabled soldiers, and the widows and minor children of deceased soldiers," and recommend that the same do not pass.

W. I. GILCHRIST, Chairman.

I am also instructed to report back House File No. 105, "An Act to amend Sec. 712, Chap. 45, of the Revision of 1860," and recommend it do not pass.

W. I. GILCHRIST, Chairman.

I am further instructed to report back to this House the petition of the Board of Supervisors of Muscatine county, and recommend that the same be referred to the Judiciary Committee.

W. I. GILCHRIST, Chairman.

The committee on the Judiciary, to whom was referred House File No. 50, "A bill for an Act to amend Sec. 1 of Chap. 151 of the Acts of the 9th General Assembly," have had the same under consideration, and as they differ in opinion as to the propriety of the act proposed, they have instructed me to report the same back without any recommendation.

BEREMAN, Chairman.

The Judiciary Committee, to whom was referred House File No. 83, "A bill for an Act to repeal Chap. 26, and Sec. 2871 of Chap. 75, of the acts passed at the 9th General Assembly, requiring clerks of District Courts to keep an Appearance Docket," have had the same under consideration, and have instructed me to report it back to this House, with a recommendation that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred Senate File No. 19, "A bill for an Act to repeal Sec. 2856 of the Revision of 1860, and to provide a substitute therefor," have considered the same, and have instructed me to report the same back to this house, and to recommend that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred House File No. 86, "A bill for an Act for recording revenue stamps attached to instruments of writing," have had the same under consideration, and have instructed me to report the bill back to this House, with a recommendation that it do pass.

BEREMAN, Chairman.

The committee on the Judiciary, to whom was referred House File No. 89, "A bill for an Act to amend Section 3305, of the Revision of 1860," have had it under their consideration, and believing the law is now substantially that proposed in the bill, they have instructed me to report the same back to this House, and recommend that it do not pass.

BEREMAN, Chairman.

The Judiciary committee having had under consideration House File No. 86, "A bill for an Act to amend Sec. 3850, of Chap. 158 of the Revision of 1860, so as to extend the jurisdiction of Justices of the peace," have instructed me to report the same back to this House, and as it would in their opinion, be unconstitutional, they recommend that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred House File No. 92, "A bill for an Act to amend Sec. 316, Chap. 22, Art. 11, of the Revision of 1860," have had the same under consideration, and they instruct me to report it back with a recommendation that it do not pass, for the reason that they believe it safest to allow Boards of Supervisors to confer such powers on clerks, as they are now allowed by law, Sec. 328 of the Revision.

BEREMAN, Chairman.

The committee on Claims, to whom was recommended the substitute for Senate File No 70, entitled a Bill for an Act to grant relief to certain citizens in Keokuk County, with instructions to prepare and present a bill to further empower the Board of Commissioners to audit and allow claims," beg leave to report that they have had the same under consideration, and in compliance with the instructions of this House, have instructed me to present the accompanying Bill. But your committee entertain the opinion that this General Assembly having power to create said Board and define their duties, are as capable of deciding upon different claims as the Board they thus create, and that the duties and powers of said Board are sufficiently defined and enlarged by the laws now in force, and that the passage of the accompanying Bill would be highly detrimental to the financial interests of this state, believing it would open wide a door for hundreds of unjust claims to enter, that never will be presented unless for the passage of this Bill.

Your committee entertain the opinion that said Board of Com

missioners have performed their duty faithfully and well, and with a very few exceptions have meted out even-handed justice, but are of opinion that said Board have either in their zeal for the welfare of the State or by a misconstruction of the law, registered a very few claims that they should have allowed. They therefore entertain the opinion that this General Assembly should act upon said claims respectively, and either empower the Auditor of State or the Board to audit and allow all claims passed upon and allowed by this General Assembly.

Your committee entertaining the views above expressed have instructed me to recommend that the accompanying Bill do not pass.

MOIR, Chairman.

**MR. SPEAKER:**—I am instructed to report to this Honorable Body that the Standing committee on Claims have had under consideration the claim of Goodwin & Purdy, and have instructed me to report the same back to the House, with the recommendation that the claim be allowed, and referred to the standing committee on Ways and Means, with instructions that they provide for the payment of the same in the general appropriation Bill.

By order of your Committee,

J. W. SIMPSON.

Report adopted:

**Mr. Flukbine**, by leave, presented the claims of Levis Robinson and others, for services in case of Jas. D. Eads and securities. Referred to committee on Claims.

The committee on Military Affairs, to whom was referred a resolution in relation to a claim of the 1st Iowa Cavalry, together with the report of the Adjutant General to the Speaker of the House of Representatives in relation to the same subject, have had the same under consideration, and instruct me to report the same back, and recommend the adoption of the following preamble and resolution:

**WHEREAS**, It is claimed by the 1st Regiment of Iowa Cavalry that there is due them from the State of Iowa one and one half months' pay; and

**WHEREAS**, It appears that this Regiment, consisting at that time of ten companies only, to wit: A to K, inclusive, was raised by direct authority of the Secretary of War, per order issued June 13th, 1861, and not by requisition upon the Governor of the State; and

**WHEREAS**, Muster and pay rolls were never filed in the office of the Adjutant General of the State of Iowa, as is required of troops raised by requisition on the Governor; and

**WHEREAS**, The Judge Advocate General has ruled and decided that the Colonel of said Regiment is entitled to pay from the United States, for the time claimed by the Regiment; and

**WHEREAS**, Said Colonel has been paid by the United States Gov-

ernment, according to such ruling, and said Colonel agrees to refund any money that he may have received from the State as pay for the time above stated; therefore be it

*Resolved*, That in the opinion of the General Assembly, the General Government is the authority which said Cavalry should look to for pay; and

*Resolved, further*, That Governor and Adjutant General of this State be, and are hereby requested to use their best endeavors with the General Government, to secure, at as early a day as possible, a settlement of the claims of the officers and men of the 1st Regiment Iowa Cavalry.

J. ANDREWS, Chairman.

Adopted.

MR. SPEAKER:—The joint committee on Enrolled Bills, beg leave to report that they have examined House file No. 26 and Senate File No. 33, find the same correctly enrolled and present them for your signature.

A. RUNYON, Chairman.

The committee on County and Township Organization, to whom was referred House File No. 97, "A bill for an Act requiring County Supervisors to give bonds," have examined the same, and deeming it unnecessary, have directed me to report it back to this House with the recommendation that it do not pass.

O. NELSON, Chairman.

The standing committee on Agriculture, to whom was referred House File No. 77, "A bill for an act to prohibit certain stock from running at large," have had the same under consideration and have instructed me to report back to this House, with a substitute, and to recommend that the substitute be adopted by the House and put upon its passage.

H. M. THOMPSON, Chairman.

The committee on Library, to whom was referred Senate File No. 99, "A bill for an Act for the encouragement of Public Libraries," have had the same under consideration, and instructed me to report the same back to this House, with the recommendation that it pass.

EDWARD H. STILES, Chairman.

The committee on Police Regulations, to whom was recommitted House File No. 31, have had the same under consideration, and direct me to report the same back to this House, with the recommendation that the bill pass with the following amendment: That the word "eighteen" be stricken out and the word "fourteen" inserted.

R. SEARS, Chairman.

## INTRODUCTION OF BILLS.

Mr. Johnson introduced House File No. 106, "A bill for an Act to authorize the sale of the Revised Code at a reduced price," read a 1st and 2d time and referred to committee on Ways and Means.

Mr. Van Sandt introduced House File No. 107, "A bill to amend Sections 2 and 3 of Art. 8 of the constitution of the State of Iowa," read a 1st and 2d time and referred to committee on Constitutional Amendments.

Mr. Fenn introduced House File No. 108, "A bill for an Act changing the time of holding the regular session of the District Court in the county of Audubon for the year 1864," read 1st and 2d time and referred to a select committee from 5th Judicial District.

The Speaker appointed as committee Messrs. Fenn, Lindley, Lindsey, Darby and Baileys.

Mr. Russell of Jones, introduced House File No. 109, "A bill for an Act to repeal Chap. 160 of the acts of the 9th General Assembly, and to provide for a settlement of Swamp Land Claims with the United States," read 1st and 2d time and referred to committee on Public Lands.

Mr. Paulk introduced House File No. 110, "A bill for an Act to provide for the election of Township Collector and to define his powers and duties," read 1st and 2d time and referred to committee on County and Township organizations.

Mr. Parker, by leave, called up House File No. 87, "A bill for an Act to provide for the collection of money due the permanent school fund of the State of Iowa," and moved its reference to committee on Schools and Universities. Carried.

Mr. Joy introduced House File No. 111 "A bill for an Act for the relief of Capt. Wm. Tripp," read 1st and 2d time and referred to committee on Claims.

## RESOLUTIONS.

Mr. Campbell offered the following resolution, and moved its adoption:

*Resolved*, That the committee on Police Regulations be instructed to inquire into the propriety of relieving State and County officers from attending to business or keeping their offices open on the 25th day of December, 1st day of January, 4th day of July, and any day appointed by the Governor of this State, or the President of the United States, as a day of fasting or thanksgiving, and to report by bill or otherwise. Lost.

Mr. Russell, of Washington, offered the following resolution, which was adopted:

*Be it Resolved by the House of Representatives, the Senate concurring*, That the Capitol Post Office shall be kept open for the re-

ception and delivery of mail matter, from eight o'clock A. M. until half past seven o'clock P. M., on each day of the week, except Sabbath, on which day it shall be kept open from eight until ten o'clock A. M., and from two until four o'clock P. M.

Mr. Sears offered the following resolution :

*Resolved*, That the House of Representatives, the Senate concurring, do adjourn *sine die*, on the 15th day of March next.

Mr. Oliver moved that the resolution be laid on the table, on which question the yeas and nays were demanded, resulting as follows :

The yeas were Messrs. Andrews of Keokuk, Bromley, Baylies, Brown, Clark, Davis, Dorr, Elliott, Fenn, Fry, Finkbine, Galland, Gose, Helm, Jeffries, Joy, Knox, Latham, Lathrop, Logan, Lindsey, Merriam, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt and Wolf—50.

The nays were Messrs. Andrews of Decatur, Bereman, Bruce, Bell, Buckham, Carey, Campbell, Carbee, Cort, Christoph, Close, Fuller, Garrett, Glendenning, Green, Gilchrist, Hale, Hildreth, Horton, Hurst, Johnson, King, Littler, Lyons, Munsell, O'Brien, Paulk, Banyon, Sears, Thompson, Vinton, White and Mr. Speaker—33.

Absent or not voting, Messrs. Burke, Day, Darby, Hixon, Holdridge, Lindley, Magill, McKnight and Wearo.

The resolution was laid upon the table.

Mr. Johnson offered the following resolution :

WHEREAS, Judgments and decrees of foreclosure have been and are being rendered in the several District Courts of this State, in favor of the School Fund, and against parties holding School Lands by virtue of contracts heretofore entered into with the School Fund Commissioners of the several counties ; and

WHEREAS, Said lands have been and are being sold at sheriffs' sales by virtue of special executions issued in pursuance of said judgments and decrees ; therefore, be it

*Resolved*, That the standing committee on the Judiciary, be, and they are instructed to inquire what legislation, if any, is necessary to enable the purchasers at such sales of said lands, to procure patents from the State therefor, and to report by bill or otherwise.

Lost.

#### MESSAGES AND COMMUNICATIONS.

The communication received from the Governor was taken up.

Mr. Stiles moved that it be laid upon the table and ordered printed. Lost.

Mr. Moir moved that the matter be referred to committee on Sanitary Affairs.

Mr. Finkbine moved to adjourn. Lost.

The motion to refer prevailed.

On motion, the House adjourned.

Two o'clock, P. M.

House met pursuant to adjournment.

Mr. Green moved that Mr. Stiles be added to committee on Expenditures. Carried.

Mr. Russell of Jones, offered the following resolution, and moved its adoption:

*Resolved*, That the committee on Expenditures is hereby authorized and empowered to send for persons and papers and to administer oaths. Adopted.

Mr. Hildreth from committee appointed to visit the University and Deaf and Dumb Asylum, by leave submitted the following report:

The Joint committee appointed to visit the State University and Deaf and Dumb Asylum, at Iowa City, having performed that duty, respectfully submit the following report:

The State University is in a very prosperous condition, numbering four hundred and four students during the current collegiate year, and bearing every evidence of ability and fidelity upon the part of those having its management and control. Forty-three counties are represented in this Institution by the attendance of students from said counties, respectively, as follows:

Benton county, . . . . .	8 students.
Black Hawk county, . . . . .	2 "
Butler county, . . . . .	1 "
Case county, . . . . .	1 "
Cedar county, . . . . .	23 "
Clinton county, . . . . .	4 "
Dallas county, . . . . .	5 "
Des Moines county, . . . . .	6 "
Dubuque county, . . . . .	2 "
Fayette county, . . . . .	1 "
Franklin county, . . . . .	2 "
Fremont county, . . . . .	1 "
Green county, . . . . .	2 "
Guthrie county, . . . . .	2 "
Hardin county, . . . . .	7 "
Harrison county, . . . . .	1 "
Henry county, . . . . .	3 "



Iowa county,.....	2	students.
Jackson county,.....	2	"
Jones county,.....	7	"
Johnson county,.....	164	"
Jasper county,.....	1	"
Keokuk county,.....	4	"
Lee county,.....	4	"
Linn county,.....	7	"
Louisa county,.....	11	"
Madison county,.....	1	"
Mahaska county,.....	6	"
Marion county,.....	2	"
Mills county,.....	3	"
Mitchell county,.....	2	"
Polk county,.....	1	"
Pottawattamie county,.....	3	"
Poweshiek county,.....	5	"
Sac county,.....	1	"
Scott county,.....	3	"
Story county,.....	4	"
Tama county,.....	3	"
Muscatine county,.....	54	"
Van Buren county,.....	9	"
Washington county,.....	10	"
Winneshiek county,.....	3	"
Woodbury county,.....	1	"

Total number residents of Iowa,.....384

Number of students from other States,.... 20

Making an aggregate of.....404

The foregoing list embraces all the students in the several departments of the University, exclusive of the model School. The average age of the students is eighteen years.

The following statistics may be interesting as showing the progress made by this Institution during the three years last past, and the relative proportion of students from Johnson county :

Year.	No. of Students.	No. from Johnson County.	No. from other Counties and States.	No. of Counties represented.
1860-61	172	100	72	32
1861-62	254	141	113	25
1862-63	288	157	131	34
1863-64	404	164	240	43

It appears from the above statistical statement that the number of students in the State University, has been steadily and rapidly increasing, while the relative proportion of students residing in

Johnson county has been constantly diminishing, and that this Institution has already become a favorite with the people of the State. Many families have taken up a *temporary* residence in Iowa City for the purpose of educating their children in the University.

Of the students now in attendance, one hundred and one have received tuition free, and in regard to their place of residence, represent forty-two counties.

The recitations and exercises of the several classes in the different departments, at which your Committee had the pleasure to be present, were highly creditable to the students as well as to their instructors, and evinced on the part of the Faculty and other teachers connected with the Institution, a degree of ability, tact, energy and industry, worthy of special commendation.

The remarkable prosperity of the institution deserves the highest consideration, and, in the opinion of your Committee, the present General Assembly should take such action in relation to the University that its efficiency may not be impaired nor its prosperity retarded.

The room used as a chapel is inadequate to accommodate the students already in attendance, not to speak of the probable increase of the number of students and of the necessity for a chapel sufficiently large and commodious for lecture purposes and commencement exercises.

The University buildings are also deficient in not containing rooms suitable for a chemical laboratory.

In the Report of the Board of Trustees of the State University, the wants above referred to are fully set forth, and a plan proposed by them is herewith presented for an additional building to contain a spacious chapel and a laboratory with a tower and observatory, the estimated cost of which is twenty-five thousand dollars.

In the opinion of your Committee, the University, with an additional building, similar to the one proposed by the Board of Trustees, would afford better facilities for the education of one thousand students, than are now afforded for the education of four hundred.

Hoping that the embarrassments which now surround our National and State Governments, will not deter members of the General Assembly from taking high ground in regard to the educational interests of the State, nor cause them to overlook the fact that the claims of education are of paramount importance to almost all other claims, nor make them unmindful of the great political truth, that enlightened virtue is the only sure foundation for a free government, your Committee commend the State University to your favorable consideration, in the full belief that you will pursue a liberal policy in respect thereto, and that you will take such action as will be promotive of the best interests of the University, as well as of the State at large.

## THE DEAF AND DUMB ASYLUM.

The Iowa Institution for the education of the Deaf and Dumb is in as good a condition as could reasonably be expected under the circumstances. It has not been provided with any suitable buildings, pleasure grounds, furniture, and many other conveniences; which are so essential to the proper management of such an institution, and to the personal comfort of its inmates. For a full and detailed statement of its financial condition, statistics, &c., your committee beg leave to refer to the Fifth Biennial Report of the Board of Trustees.

The pupils now in attendance number fifty eight, and are from almost as many different counties. They are quite intelligent, and seem to be making rapid progress in the acquisition of knowledge. Much effort has been made by those having the control and management of this institution to render it efficient—to administer to the physical comfort and promote the mental culture of the unfortunates committed to their care.

An earnest desire was manifested on the part of the deaf mutes and their preceptors, that buildings suitable for their use should be erected, in some place, with pleasure grounds attached for their recreation. The building now occupied by them is not adapted to the purpose for which it is used, and is very much out of repair. The furniture and bedding are, for the most part, such as we might expect to find in an ordinary alms house. Humanity, as well as the fair fame of the State, demands an immediate appropriation sufficient at least to purchase good furniture and bedding for the use of this institution.

Your Committee would further recommend an increased appropriation to defray the current expenses, in view of the present high price of every article of food. The amount heretofore appropriated to meet the ordinary expenditures will be quite inadequate for that purpose during the ensuing two years.

If compatible with the public interest in other respects, an appropriation should be made by the present General Assembly for the purpose of erecting and constructing a suitable Asylum for the deaf and dumb children and youth of the State. As now situated the students have no opportunity to learn trades and thereby render themselves useful. There are no work shops for them, and no funds to purchase stock or material for manufacture, and defray expenses of such shops. We deem it essential that every pupil should not only be educated, but should have an opportunity to learn some useful branch of handicraft whereby he may gain a livelihood.

Humanity calls loudly for the relief of this unfortunate class of our population; the dignity and honor of the State demand it; and

the great heart of the people will respond amen to every proper effort put forth to ameliorate their unhappy condition.

All of which is respectfully submitted.

A. B. F. HILDRETH,	} Committee.
R. SEARS,	
J. B. YOUNG,	

Mr. Finkbine moved that the report be laid on the table and ordered printed. Carried.

Senate File No. 69, "A bill for an Act to amend Chap. 67 of the Revision of 1860," was taken up, read a first and second time, and referred to committee on Agriculture.

Senate message announcing the refusal of the Senate to concur in House amendment to Senate File No. 52, "A bill for an Act appropriating money for the State Library," was taken up.

Mr. Hale moved that the House recede, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were, Messrs. Bereman, Bromley, Baylies, Brown, Carey, Elliott, Fenn, Finkbine, Galland, Hale, Hixon, Helm, Horton, Joy, Johnson, King, Latham, Lathrop, Merriam, McCall, McCormack, Nelson, Oliver, Paulk, Pritchard, Potter, Richards, Runyon, Sears, Simpson, Sturgis, Stiles, Skiles, Van Sandt, Wolf and Mr. Speaker—36.

The nays were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Burke, Campbell, Carbee, Cort, Close, Clark, Davis, Dorr, Fry, Garrett, Glendenning, Green, Gose, Gilchrist, Hurst, Jeffries, Knox, Logan, Littler, Lyons, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, O'Brien, Parker, Perry, Russell of Jones, Russell of Washington, Stanton, Smith, Spurrier, Sweet, Thompson, Vinton and White—44.

Absent or not voting, Messrs. Christoph, Day, Darby, Fuller, Hildreth, Holdridge, Lindley, Lindsay, Magill, McKnight, Sanderson and Weare.

The question was lost.

Mr. Stiles moved that a committee of conference, to consist of three on the part of the House, be appointed to confer with a like committee on the part of the Senate, to whom the whole matter be referred. Carried.

The Speaker appointed as committee on the part of the House, Messrs. Stiles, Moir and Mills.

#### BILLS READ SECOND TIME.

Senate File No. 70, "A bill for an Act for the relief of certain citizens of Keokuk county," was taken up, with substitute offered by committee.

Mr. Andrews, of Keokuk, moved that the original substitute offered by committee on Claims be adopted. Carried.

Mr. McNutt offered the following amendment to Sec. 4: "And to John Lardner, of Muscatine, the sum of fifty dollars."

Mr. Sears moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Mr. Hale moved that further proceedings under the call be dispensed with. Carried.

Mr. Russell of Washington, moved to adjourn. Lost.

On the question, "Shall the amendment be adopted?" the yeas and nays were demanded and ordered, resulting as follows:

The yeas were, Messrs. Andrews of Keokuk, Buckham, Baylies, Brown, Campbell, Dorr, Fenn, Fry, Fuller, Galland, Glendenning, Gilchrist, Hale, Hildreth, Hixon, Helm, Joy, Johnson, Knox, Lathrop, Logan, Lindsey, Lyons, Merriam, Mills, McNutt, McCall, McCormack, Nelson, Potter, Runyan, Sanderson, Sears, Stiles, Stanton, Smith, Skiles, Sweet, Thompson, Vinton, Wolf and Mr. Speaker—42.

The nays were, Messrs. Andrews of Decatur, Bereman, Bruce, Burke, Carey, Carbee, Cort, Close, Clark, Davis, Elliott, Finkbine, Garrett, Green, Gose, Horton, Hurst, Jeffries, King, Latham, Littler, Meissner, Munsell, Moir, McMaken, McKnight, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Richards, Simpson, Sturgis, Spurrier, Van Sandt and White—40.

Absent or not voting, Messrs. Bromley, Bell, Christoph, Day, Darby, Holdridge, Lindley, Magill, Maxwell and Wear.

The amendment was adopted:

Mr. Bereman offered the following amendment:

"And that said auditor be further directed and required to audit and allow the claims of J. B. Hart, A. T. Auld and Wm. Pangburn, for their services in the 37th Regiment, Iowa Infantry Volunteers, from the 8th day of September 1862, to the 8th day of April 1863, as members of company H, of said regiment."

Mr. Oliver moved that the whole subject be laid on the table. Lost.

On the question "Shall the amendment be adopted?" the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bromley, Campbell, Cort, Fry, Fuller, Hale, Hurst, Lyons, Merriam, Meissner, McNutt, Oliver, O'Brien, Runyon and Wolf—15.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bell, Buckham, Baylies, Burke, Brown, Carey, Carbee, Close, Clark, Davis, Dorr, Elliott, Fenn, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hildreth, Hixson, Helm, Horton, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Maxwell, Mills, Munsell, Moir, McMaken, McCall, McCormack, McKnight, Nelson, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Sander-

son, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, White and Mr. Speaker—69.

Absent or not voting—Messrs. Christoph, Day, Darby, Gilchrist, Holdridge, Lindley, Magill, and Weara.

The amendment was lost.

Mr. Baylies moved that the vote be reconsidered, by which Mr. McNutt's amendment was adopted.

On the question, "Shall the vote be reconsidered?" the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Baylies, Carey, Close, Clark, Davis, Elliott, Finkbine, Gose, Horton, Hurst, Jeffries, Latham, Littler, Lindsey, Meissner, Munsell, Moir, McMaken, McKnight, Perry, Pritchard, Russell of Jones, Russell of Washington, Simpson, Spurrier, Wolf and White.—30.

The nays were Messrs. Andrews of Keokuk, Bell, Buckham, Burke, Brown, Campbell, Carbee, Cort, Dorr, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Hale, Hildreth, Hixson, Helm, Joy, Johnson, King, Knox, Lathrop, Logan, Lyons, Merriam, Maxwell, Mills, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Potter, Richards, Runyon, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Skiles, Sweet, Thompson, Van Sandt, Vinton, and Mr. Speaker.—54.

Absent or not voting, Messrs. Bereman, Christoph, Day, Darby, Gilchrist, Holdridge, Magill and Weara.

The motion did not prevail.

Mr. Merriam offered the following amendment: Insert after section 4 "for drilling the non-commissioned officers of the 35th Regiment, by direction of Gov. Kirkwood." On which question the yeas and nays were demanded and ordered, resulting as follows:

The yeas were, Messrs. Andrews of Keokuk, Bromley, Bell, Buckham, Baylies, Burke, Brown, Campbell, Carbee, Dorr, Fenn, Fry, Fuller, Galland, Glendenning, Green, Gose, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Merriam, Maxwell, Mills, Munsell, McNutt, McCall, McCormack, Nelson, O'Brien, Paulk, Potter, Russell of Jones, Runyon, Sanderson, Sears, Stiles, Stanton, Smith, Skiles, Sweet, Thompson, Vinton, Wolf and Mr. Speaker—57.

The nays were Messrs. Andrews of Decatur, Bruce, Carey, Cort, Close, Clark, Davis, Elliott, Finkbine, Jeffries, Meissner, Moir, McMaken, McKnight, Oliver, Parker, Perry, Pritchard, Richards, Simpson, Sturgis, Spurrier, Van Sandt and White—24.

Absent or not voting—Messrs. Bereman, Christoph, Day, Darby, Garrett, Gilchrist, Holdridge, Lindley, Magill and Weara.

The amendment prevailed.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bruce, Bromley,

Bell, Buckham, Burke, Brown, Carey, Campbell, Davis, Dorr, Fenn, Fry, Finkbine, Galland, Glendenning, Gose, Hale, Hildreth, Hixson, Helm, Horton, Jeffries, Joy, Johnson, King, Knox, Lathrop, Logan, Lindsey, Lyons, Merriam, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Parker, Pritchard, Potter, Russell of Jones, Russell of Washington, Runyan, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Sweet, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—61.

The nays were, Messrs. Andrews of Decatur, Baylies, Cort, Close, Clark, Elliott, Fuller, Garrett, Green, Hurst, Latham, Littler, Meissner, McCormack, Oliver, O'Brien, Paulk, Perry, Richards, Spurrier, and White—21.

Absent or not voting, Messrs. Bereman, Carbee, Christoph, Day, Darby, Gilchrist, Holdridge, Lindley, Magill and Weare.

The bill passed, the title was amended and agreed to.

On motion, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
FRIDAY, February 16th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Dr. Peet.

Mr. King asked that the committee on Expenditures have leave to sit during this session of the House. Granted.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

The committee on Claims, to whom was referred the claim of John Patterson vs. the House of Representatives, beg leave to report that they have had the same under consideration, and have instructed me to report that in their opinion the members of this House receive too small a compensation for their services to pay the officers of this House for their services, and believing that the claim should be paid by the State, recommend that said claim be allowed, and that the same be referred to the Committee on Ways and Means, and that they be instructed to make provisions for the payment of the same in the general appropriation bill.

All of which is respectfully submitted.

MOIR, Chairman.

Adopted.

MR. SPEAKER:—The committee on Claims have instructed me to report the accompanying bills of Evan Rees, J. & J. A. Simington

and J. H. Taylor back to the House, with the recommendation that they and all bills of a similar character be referred to the Secretary of State, and that he be directed to pay all such claims as he may deem just, out of the contingent fund provided for such purposes.

SEARS, for Committee on Claims.

The report was adopted.

MR. SPEAKER:—Your select committee, to whom was referred House File No. 108, "A bill entitled an Act changing the time of holding the regular session of the District Court in the county of Audubon, for the year A. D. 1864, have had the same under consideration, and instruct me to report the same back to the House, and recommend that it do pass.

E. B. FENN, Chairman.

The following message was received from the Senate:

MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is asked, to-wit:

Senate File No. 77, "A bill for an Act to prohibit certain male stock from running at large.

Senate File No. 89, "A bill for an Act to prohibit the circulation of foreign bank bills in this State.

I am also directed to inform you that the Senate has adopted the following concurrent resolution:

*Resolved by the Senate, the House concurring,* That the General Assembly will adjourn *sine die* on the 15th day of March, at 8 o'clock A. M.

Also, the accompanying joint resolution instructing our Senators in Congress and requesting our Representatives to procure the passage of a law granting bounties to soldiers.

In which the concurrence of the House is respectfully asked.

W. F. DAVIS, Sec'y Senate.

INTRODUCTION OF BILLS.

Mr. Hale introduced House File No. 112, "A bill for an Act to resume certain lands, interests, rights, powers and privileges granted to the State of Iowa by the United States, and by the State of Iowa conditionally conferred upon certain Railroad Companies."

Mr. Oliver moved to refer to committee on Railroads.

On the question, "Shall the bill be referred to committee on Railroads," the yeas and nays were demanded and ordered.

Mr. Finkbine moved a call of the House. Carried.

The Clerk proceeded to call the roll.

Mr. Merriam asked for leave of absence for Mr. Galland. Granted.



Absent without leave, Messrs. McKnight and Sweet.

The Sergeant-at-Arms was directed to bring in the absentees.

Mr. Paulk moved to adjourn. Lost.

Mr. Paulk moved that further proceedings under the call be dispensed with. Lost.

Mr. Finkbine moved that further proceedings under the call be dispensed with. Carried.

The question recurring on the motion to refer the bill to the standing committee on Railroads, the yeas and nays were as follows:

The yeas were, Messrs. Bromley, Brown, Carey, Carbee, Christoph, Davis, Dorr, Hixson, Helm, Jeffries, Joy, Johnson, Lathrop, Logan, Moir, McCall, Nelson, Oliver, Paulk, Pritchard, Potter, Russell of Washington, Richards, Sanderson, Simpson, Stanton and Vinton—27.

The nays were, Messrs. Andrews of Decatur, Bereman, Bruce, Bell, Buckham, Baylies, Burke, Campbell, Cort, Close, Clark, Day, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Glendenning, Green, Gilchrist, Hale, Hildreth, Hurst, Knox, Latham, Littler, Lindley, Lindsay, Lyons, Merriam, Maxwell, Meissner, Mills, Munsell, McMaken, McNutt, McCormack, O'Brien, Perry, Runyon, Sears, Sturgis, Smith, Skiles, Spurrier, Thomson, Van Sandt, Wolf, White and Mr. Speaker—51.

Absent or not voting, Messrs. Andrews of Keokuk, Darby, Galland, Gose, Horton, Holdridge, King, Magill, McKnight, Parker, Russell of Jones, Stiles, Sweet and Weara.

The motion was lost.

On motion, the Bill was referred to a select committee of 7.

The Speaker appointed as said committee, Messrs. Bereman, Horton, Bell, Merriam, McNutt and Maxwell.

Mr. Richards moved to adjourn. Lost.

Mr. Van Standt introduced House File No. 113, "A bill for an Act to amend Chap. 102 of the acts of the regular session of the 9th General Assembly in reference to estrays," read 1st and 2d time and referred to committee on Agriculture.

Mr. Close introduced House File No. 114, "A bill for an Act for making further appropriations for the selection and plotting the Agricultural College lands," read 1st and 2d time and referred to committee on Ways and Means.

#### RESOLUTIONS.

Mr. Maxwell offered the following resolution:

*Resolved*, That the committee on Sanitary Affairs be instructed to report to this House to-morrow upon the report of Mrs. Annie Wittenmeyer, and also upon the message of His Excellency the Governor, referred to them on the 15th inst. Adopted.

Mr. Hale moved to adjourn. Lost.

## MESSAGES AND COMMUNICATIONS.

Senate File No. 77, "A bill for an Act to prohibit certain male stock from running at large," was taken up, read 1st and 2d time and referred to committee on Agriculture.

Senate File No. 89, "A bill for an Act to prohibit the circulation of Foreign Bank Notes in this State," was taken up, read 1st and 2d time and referred to committee on Ways and Means.

Senate resolution relating to adjournment on the 15th of March, was taken up.

Mr. Paulk moved to lay the resolution on the table, on which the yeas and nays were demanded, and ordered, resulting as follows:

The yeas were, Messrs. Andrews of Decatur, Bromley, Baylies, Burke, Carey, Clark, Elliott, Fry, Finkbine, Galland, Green, Hixson, Helm, Joy, Knox, Latham, Logan, Lindley, Lindsey, Merriam, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, Paulk, Perry, Pritchard, Russell of Washington, Richards, Sauderson, Simpson, Stanton, Smith, Spurrer, Van Sandt, Vinton and Wolf—43.

The nays were, Messrs. Bereman, Bruce, Bell, Buckham, Brown, Campbell, Carbee, Cort, Christoph, Close, Day, Davis, Dorr, Fenn, Fuller, Garrett, Glendenning, Hildreth, Hurst, Jeffries, Johnson, Littler, Lyons, Munsell, O'Brien, Potter, Runyon, Sears, Sturgis, Skiles, Thompson, White and Mr. Speaker.—33.

Absent or not voting, Messrs. Andrews of Keokuk, Darby, Gose, Gilchrist, Hale, Horton, Holdridge, King, Lathrop, Magill, McKnight, Parker, Russell of Jones, Stiles, Sweet and Wear.

The motion prevailed.

On motion, the House adjourned.

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Two o'clock P. M.

House met pursuant to adjournment.

A quorum not being present, Mr. Moir moved a call of House, which was seconded.

The Clerk proceeded to call the roll.

Absent and not excused, Messrs. Bruce, Bromley, Cary, Campbell, Carbee, Davis, Dorr, Elliott, Fuller, Finkbine, Gilchrist, Hale, Hildreth, Hurst, Jeffries, Joy, Lathrop, Lindsey, Mills, McMaken, McCall, McCormack, McKnight, Oliver, Paulk, Perry, Pritchard, Potter, Russell of Washington, Richards, Smith, Van Sandt, Vinton and White.

The Sergeant-at-Arms was directed to bring in the absentees.

Mr. Bell moved that the absentees be excused. Carried.

Mr. Nelson, moved that further proceedings under the call be dispensed with. Carried.

The following communication from the Adjutant General was received and read:

STATE OF IOWA, ADJ. GEN'S OFFICE, }  
DES MOINES, Feb. 16, 1864. }

*Hon. Jacob Butler, Speaker of the House of Representatives of Iowa :*

SIR:—In accordance with a resolution of the House of Representatives, I have the honor to report the accompanying papers marked (A) and (B), showing the amounts paid to officers, giving names of officers of the Southern Border Brigade and the Northern Border Brigade.

The Southern Border Brigade is still organized and acting under the laws of this State. The Northern Border Brigade has been disbanded.

With great respect,

Truly Yours,

N. B. BAKER, Adj. Gen. of Iowa.

(A.)

CO. A, 1ST BATTALION, S. B. B.

OFFICERS.	SERVICE.		Mths.	Days.	Am't Paid.	Total A'mt.
	From	To				
Capt. Wm. Sole,.....	Oct. 17 '62	Nov 30 '62	1	14	\$167 19	\$167 19
Lt. Wells Brown,....	" 17	" 30	1	14	142 74	
do do.	Dec. 1	Jan. 31	2		194 66	337 40
Capt. Jos. T. Farris,.	M'ch 5 '63	Mch 31 '63		13	49 06	
	April 1	Apr. 30	1		114 00	
	May 1	May 31	1	1	115 20	
	June 1	J'ne 30	1		114 00	
	July 1	July 31	1	1	115 20	
	Aug. 1	Aug 31	1	1	115 20	
	Sept. 1	Sep. 5		5	18 99	
	Oct. 12	31		20	75 99	
	Nov. 1	30	1		114 00	
	Dec. 1	31	1	1	115 20	946 84
Lt. S. D. Chidester,.	Mc'h 5	31		13	42 16	
	Sept. 6	30		25	81 07	
	Oct. 1	11		7	35 68	158 91

Whole amount paid to Officers Co. A, 1st Battalion, \$1610 34.

## CO. B, 1st BATTALION.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid	Total amount.
	From	To				
Capt. Jos. Dickey	Oct. 26, '62,	Nov. 30, '62.	1	5	\$133 00	
	Dec. 1, '62,	Dec. 18, '62.		17	68 40	
	Jan. 8, '63,	Jan. 31, '63.		11	41 79	
	Feb. 1, '63,	Feb. 15, '63.		15	57 00	
	Mar. " '63,	Mar. 31, '63.		19	72 20	
	Apr. " '63,	Apr. 30, '63.	1		114 00	
	May " '63,	May 31, '63.		26	98 80	
	June " '63,	June 30, '63.		25	95 00	
	July " '63,	July 31, '63.	1	1	115 20	
	Aug. " '63,	Aug. " '63.	1	1	115 20	
	Sept. " '63,	Sept. " '63.	1		114 00	
	Oct. " '63,	Oct. " '63.	1	1	115 20	\$1129 79

Whole amount paid to officers Co. B, 1st Battalion, \$1,129 79,

## CO. A, 2d BATTALION.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid	Total amount.
	From	To				
Capt. H. B. Horn	Oct. 15, '62,	Nov. 30, '62.	1	15	\$172 20	
	Dec. 1, " "	Jan. 31, '63.	1	24	205 20	
	Feb. " '63,	Mar. 31,	1	26	212 80	
	Apr. " "	May 31,	1	11	155 80	
	June " "	July 31,	1	1	117 80	
	Aug. " "	Sept. 30,	1	16	176 00	
	Oct. " "	Nov. 30,	1	5	134 19	\$1173 99
Lt. W. H. Hiner	Oct. 15	Nov. 30, '62.	1	15	147 20	
	Dec. 1	Jan. 31, '63.	1	24	175 20	
	Feb. " "	Mar. 31,		23	74 61	397 01
Lt. T. L. C. McEachern	Apr. " "	May 31,	1	3	107 07	
	June " "	July 31,		23	74 41	
	Aug. " "	Sept. 30,		14	45 40	
	Oct. " "	Nov. 30,		4	12 96	239 84

Whole amount paid to officers Co. A, 2d Battalion, \$1,810 84.

## CO. B, 2d BATTALION.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid	Total Am't.
	From	To				
Capt. E. D. Skinner	Feb. 9 '63,	April 30 '63.	2	6	\$250 80	
	May 1	June 30		27	102 60	
	July 13	Aug. 31	1	2	121 59	
	Sep. 1	Oct. 31	1	9	148 20	
	Nov. " "	Dec. 31	1	23	201 39	\$824 58

## CO. B, 2d BATTALION.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid	Total Am't.
	From	To				
Lt. G. S. Stansberry,	M'ch. 9 '63	M'ch. 14 '63	6		\$ 19 46	\$ 217 06
	June 8	June 30	21		68 13	
	July 1	Aug. 31	23		74 34	
	Sep't. "	Oct. 31	17		55 13	

Whole amount paid to Officers Co. B, 2d Battalion, \$1,041.64.

## CO. C, 2d BATTALION.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid	Total Am't.
	From	To				
Capt. C. E. Snow.	Aug. 17	Aug. 31	15		\$ 57 00	\$ 57 00
Lt. C. C. Bitner..	May 21	May 31	11		35 67	
	June 1	June 30	1		97 33	
	July "	July 31	1	1	100 56	
	Aug. "	Aug. 16	16		51 78	

Whole amount paid to Officers Co. C, 2d Battalion, \$342.34.

## CO. A, 3d BATTALION.

OFFICERS.	SERVICE.		Mths.	Days.	Am't paid.	Total amount.
	From	To				
Capt. J. H. Summers.....	Sept. 18, '62	Nov. 30, '62.	2	14	\$281 19	\$1420 96
	Dec. 1	Dec. 31,	1		114 00	
	Jan. " '63	Jan. " '63	4		15 19	
	Feb. "	Feb. 28,	1		111 60	
	Mar. "	Mar. 31,	1	1	115 20	
	Apr. "	Apr. 30,	1		114 00	
	May "	May 31,	1	1	115 20	
	June "	June 30,	1		114 00	
	July "	July 31,	1	1	115 20	
	Aug. "	Aug. "	1	1	115 20	
	Sept. "	Sept. 30,	25		94 98	
	Oct. "	Oct. 31,	1	1	115 20	
Lt. C. G. Bridges.,	Sept. 18, '62	Nov. 30, '62	15		48 66	243 28
	Dec. 1	Dec. 31,	1	1	100 56	
	Jan. " '63	Jan. " '63	17		55 14	
	Feb. "	Feb. 28,	12		38 92	

Whole amount paid to officers Co. A, 3d Battalion, \$1,664 24.

## CO. B, 3d BATTALION.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid	Total Am't.
	From	To				
Capt. E. F. Esteb,	Sep't 27, '62	Nov. 30, '62	1	5	\$132 99	797 16
	Dec. 1	Dec. 31	1		114 00	
	Jan. 1, '63	Jan. 31, '63	22		83 59	
	Feb. "	Feb. 28	20		75 99	
	March "	Mch. 31	23		87 40	
	April "	April 30	22		86 60	
	May "	May 31	20		76 00	
	Aug. "	Aug. "	19		72 19	
	Sep't. "	Sep't. 30	18		68 40	
Lt. A. M. Corbit.	Sep't. 27, '62	Nov. 30, '62	"		58 40	895 78
	Dec. 1	Dec. 31	"		58 40	
	Jan. " '63	Jan. " '63	15		48 66	
	Feb. "	Feb. 28	9		29 20	
	March "	Mch. 31	15		48 66	
	April "	Apr. 30	12		38 92	
	May "	May 31	11		35 68	
	Aug. "	Aug. "	12		38 98	
	Sep't. "	Sep't. 30	"		38 98	

Whole amount paid to officers Co. B, 3d Battalion, \$1,192 94.

## CO. C. 3d BATALION.

OFFICERS,	SERVICE,		Mths.	Days.	Amount paid	Total Am't.
	From	To				
Capt. N. Miller,...	Nov. 3 '62	Nov. 30 '62	28		\$106 89	1017 26
	Dec. 1	Dec. 31	1	1	115 20	
	Jan. " '63	Jan. 31 '63	17		64 60	
	Feb. "	Feb. 28	18		68 40	
	M'ch. "	M'ch'31	28		106 40	
	April "	Apr. 30	26		98 80	
	May "	May 31	24		91 20	
	June "	June 31	28		106 40	
	July "	July 31	26		98 80	
	Aug. "	Aug 31	23		88 68	
	Sep't. "	Sep. 30	13		49 39	
	Oct. "	Oct. 31	6		22 80	
	Nov. 3 '62	Nov. 30 '62	28		90 88	
Lt. H. Waugh,...	Dec. 1	Dec. 31	1	1	98 53	882 91
	Jan. " '63	Jan. 31 '63	14		45 41	
	Feb. "	Feb. 28	12		38 93	
	June "	June 31	9		28 13	
	Sep't. "	Sep. 30	10		32 43	
	Oct. "	Oct. 31	15		48 65	

Whole amount paid to Officers Co. C. 3d Battalion, \$1,400.17.

**JOURNAL OF THE**  
**CO. A, 4TH BATTALION**

[illegible]

CO. B, 4th BATTALION.

OFFICERS.	SERVICE.		N <sup>o</sup> of Days.	Amount paid.	Total Am't.
	From	To			
Capt. Jno. Flick, ..	Dec. 1 '62	Dec. 31 '62	14	\$53 19	
	Jan. " '63	Jan. " '63	17	64 59	
	Feb. "	Feb. 28	11	26 59	
	Mch. "	Mch. 31	4	15 20	
	April "	April 30	8	30 40	
	May "	May 31	16	60 80	
	June "	June 15	5	19 00	269 77
Lt. David Smith, ..	Dec. 20 '62	Dec. 31 '62	5	16 18	
	Jan. 1	Jan. "	13	42 16	
	Feb. "	Feb. 28	10	33 10	
	Mch. "	Mch. 31	4	12 86	
	April "	April 30	8	25 94	
	May "	May 31	9	29 13	
	June "	June 30	12	35 60	
	July 15	July 19	5	16 21	
	Aug. 11	Aug. 17	7	22 69	233 87
Whole amount paid to officers Co. B, 4th Battalion, \$503 64.					

## CO. C, 4th BATTALION.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid	Total Am't.
	From	To				
Cap. Jno. Whitcomb	Oct. 15 '62	Nov. 30 '62	1	8	\$144 39	761 38
	Dec. 1	Dec. 31	"		114 00	
	Jan. " '63	Jan. 31 '63	"		114 00	
	Feb. 1	Feb. 28	"		111 60	
	M'ch. "	M'ch 31	"		114 00	
	April "	Apr. 30		17	64 60	
	May "	May 31		20	75 19	
	June "	June 30		6	22 80	
Lt. H. N. Cramer,	Oct. 15 '62	Nov. 30 '62	1	4	110 29	214 10
	Jan. 1 '63	Jan. 31 '63		29	94 08	
	M'ch "	M'ch 31		3	9 73	

Whole amount paid to Officers Co C, 4th Battalion, \$975.45.

(B.)

## FIELD AND STAFF, NORTH. BORD. BRIGADE.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid	Total Am't.
	From	To				
LtCol J.A. Sawyers	Nov. 12 '62	Feb. 28 '63	3	18	\$666 00	1901 54
	Mch. 1 '63	Sept. 19	6	19	1235 54	
L. H. Smith, Q. M.	Sept. 7 '62	Dec. 21 '62	3	15	432 90	2001 98
	Dec. 21	Mch. 5 '63	2	15	304 57	
	Mch. 6 '63	Aug. 21	5	15	670 07	
	Aug. 21	Oct. 21	2		243 66	
	Oct. 22	Jan. 16 '64	2	26	350 73	

Whole amount paid to officers of Field and Staff, Northern Border Brigade, \$3,903.47.

## CO. A, NORTH BORDER BRIGADE.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid	Total Am't.
	From	To				
Cp. Wm. H. Ingham	Sep. 7 '62	Nov. 30 '62	2	24	\$393 40	\$1704 53
	Dec. 1 '63	Feb. 28 '63	3		415 50	
	M'ch. "	Aug. 15	5	15	761 75	
	Aug. 15	Sept. 13		29	133 88	
1st Lt. E. McKnight	Sep. 7 '62	Nov. 30 '62	2	24	318 72	1373 63
	Dec. 1	Feb. 28 '63	3		335 49	
	M'ch. "	Sep. 13	6	13	719 42	
2d Lt. J. Coverdale	Sep. 7 '62	Nov. 30 '62	2	24	318 72	1373 63
	Dec. 1	Feb. 28 '63	3		335 49	
	M'ch. "	Sep. 13	6	13	719 42	

Whole amount paid to Officers Co, A, \$4,451.79.



## CO. B, NORTHERN BORDER BRIGADE.

OFFICERS.	SERVICE.		Mths.	Days.	Am't paid.	Total amount.
	From.	To.				
Capt. W. Williams	Sept. 24, '62	Jan. 6, '63	3	13	\$450 77	\$450 77
1st Lt. J. M. Hefley	Sept. 24, '62	Jan. 6, '63	3	13	291 69	291 69
2d Lt. Jno. N. Bell	Sept. 24, '62	Jan. 6, '63	3	13	291 69	291 69
Whole amount paid to officers Co. B, N. B. B., \$1034 15.						

## CO. C, NORTHERN BORDER BRIGADE.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid.	Total Am't.
	From.	To.				
Capt. H. W. Crapper	Sept. 26 '62	Dec. 31 '62	3	5	\$444 90	
	Jan. 1 '63	Feb. 28 '63	2		275 50	
	Mch. "	Sept. 16	6	16	880 54	1600 94
1st Lt. L. L. Estes,	Sept. 26 '62	Dec. 31 '62	3	5	360 44	
	Jan. 1 '63	Feb. 28 '63	2		222 16	
	Mch. "	Sept. 16	6	16	730 60	1313 20
2d Lt. S. M. Purcell	Sept. 26 '62	Dec. 31 '62	3	5	360 44	
	Jan. 1 '63	Feb. 28 '63	2		184 88	
	Mch. "	Sept. 16	6	16	710 53	1255 85

Whole amount paid to officers Co. C, N. B. B., \$4169 99.

## CO. D, NORTHERN BORDER BRIGADE.

OFFICERS.	SERVICE.		Mths.	Days.	Am't paid.	Total amount.
	From.	To.				
Capt. J. M. Butler	Oct. 3, '62	Dec. 31, '62	2	28	\$406 25	
	Jan. 1, '63	Feb. 4, '63	1	4	142 74	\$548 99
	Oct. 3, '62	Dec. 31, '62	2	28	314 06	
1st Lt. H. C. Lamb	Jan. 1, '63	Feb. 4, '63	1	4	128 29	442 35
	Oct. 3, '62	Dec. 31, '62	2	28	262 03	
2d Lt. J. L. Gressman.....	Jan. 1, '63	Feb. 4, '63	1	4	102 43	364 46

Whole amount paid to officers Co. D, N. B. B., \$1,355 80.

## CO. E, NORTHERN BORDER BRIGADE.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid.	Total Am't.
	From.	To.				
Capt. J. M. White,	Sept. 27 '62	Dec. 31 '62	3	5	\$368 52	
	Jan. 1 '63	Feb. 28 '63	2		275 50	
	Mch. "	Sep. 19	6	19	923 40	1567 42
1st Lt. C. B. Rustin and Adj't of Brigade,	Sept. 27 '62	Dec. 31 '62	3	5	284 07	
	Jan. 1 '63	Feb. 28 '63	2		242 16	
	March "	Sep. 19	6	19	814 13	1340 36
2d Lt. C. Atkins,...	Sept. 27 '62	Dec. 31 '62	3	5	284 07	
	Jan. 1 '63	Feb. 28 '63	2		222 16	
	March "	Sep. 19	6	19	747 79	1254 02

Whole amount paid to the officers Co. E, N. B. B., \$4164 80.

## CO. F, NORTHERN BORDER BRIGADE.

OFFICERS.	SERVICE.		Mths.	Days.	Amount paid	Total Am't.
	From	To				
Cap. W. H. Ingham	Sep. 14 '64	Jan. 13 '64	4		\$557 00	\$557 00
1st Lt. J. M. White	Sep. 20 '63	Dec. 22	3	3	336 17	336 17
2d Lt. L. L. Estes	Sep. 17	Dec. 25	3	9	355 53	355 53

Whole amount paid Co. F, \$1,248.70

## RECAPITULATION.

OFFICERS.	SERVICE.		Days.	Mths.	Total Amount.
	From	To			
Field & Staff.....	Sept. 7 '62	Jan. 16 '63-4	16	11	\$3,903 47
Company A.....	Sept. 7	Sept. 13 '63	12	8	4,456 79
“ B.....	Sept. 24	Jan. 6 '63	3	13	1,434 15
“ C.....	Sept. 26	Sept. 16 '63	11	21	4,169 99
“ D.....	Oct. 3	Feb. 4 '63	4	2	1,355 80
“ E.....	Sept. 27	Sept. 19 '63	11	24	4,161 80
“ F.....	Sept. 14 '63	Jan. 13 '64	4		1,248 70

Whole amount, \$20,325.70.

Mr. Bereman moved that the communication be laid on the table. Carried.

Senate joint resolution, relating to granting bounties to soldiers, &c., was taken up, and, on motion, was referred to committee on Military Affairs.

## BILLS READ A SECOND TIME.

By leave, Senate File No. 1, “A bill for an Act to repeal Chap. 17 of the extra session of the 9th General Assembly of 1862, entitled an Act to provide for the protection of the Southern Border of this State,” was taken up.

Mr. Hurst moved that the whole subject lie on the table. Carried.

Mr. Hildreth called up House File No. 90, “A bill for an Act abolishing the Board of Education, and for other purposes.”

Mr. Bereman moved to strike out the last sentence in 2d Section. Carried.

Mr. Paulk moved to strike out 2,000 and insert 10,000, in Sec. 3. Lost.

Mr. Latham moved to strike out, in Sec. 5, the words “The Superintendent of public instruction,” and insert the word “He.” Carried.

Mr. Paulk moved to strike out Section 7. Lost.

Mr. Finkbine moved to strike out the word “shall,” in first line

of seventh Section, and insert the word "may," and after the word Journal, in 2d line, insert the words, "or of such other educational journal published in the State as he may select."

Mr. Moir moved to amend the amendment by adding after the word "may," the words, "if he deem it expedient." Carried, and the amendment, as amended, prevailed.

Mr. Knox moved to amend Sec. 8th, in 3d line, by inserting after the word "expedient," the words, "and shall furnish each County Superintendent with a sufficient number to supply each sub-district with one copy, provided the said journal shall be published in this State." Carried.

Mr. Johnson moved to strike out the words, "and shall contain," in 3d line of Sec. 10. Carried.

Also, to strike out in tenth line the words "one thousand," in same Section. Lost.

Mr. Oliver moved to insert in the 4th line, in 10th Sec., after the word "schools," the words, "and school houses."

Mr. Merriam moved to amend by adding the words, "and value of school houses." Carried.

The amendment, as amended, was adopted. . . . .

Mr. Russell, of Washington, moved to further amend by adding the word "teachers" before the word "schools," in 4th line. Carried.

Mr. Lindsey moved to strike out the whole Section, and insert the present form. Carried.

Mr. Hildreth moved to reconsider the vote by which the Section was stricken out. Carried.

The question recurring on Mr. Lindsey's amendment, it was lost.

Mr. Sears moved to insert, at the end of 7th line, the words, "and such other statistical information as he may deem important." Carried.

Mr. Latham moved to amend 11th Sec. by striking out all after the word "shall," used a second time in 9th line, and add the words, "pay out as the Institute may direct." Lost.

Mr. Maxwell moved to amend by adding, after the word "remain," the words, "he shall pay the same into the county treasury and the same shall be credited to the teachers' fund."

Mr. Sears moved to amend the amendment offered by Mr. Maxwell as follows: "The balance, if any remain, shall be disposed of by vote of the Institute, but in no case shall it be divided among the teachers."

The question recurring on the amendment of Mr. Sears, it was lost.

Mr. Baylies moved to amend as follows: "Who shall apply the same as follows: first, to the payment of the expenses of the Institute; secondly, to the payment of his own services at the rate of three dollars per day, and if any balance remain, the same to be paid over to the teachers' fund of the county." Lost.

The amendment of Mr. Maxwell prevailed.

Mr. Pritchard moved to adjourn. Lost.

Mr. Richards offered the following amendment: "Provided, that in counties having less than 5,000 inhabitants, the Institute may be held on application of ten teachers, and the amount paid for the expense thereon shall be \$25 only."

Mr. Hale moved moved to amend the amendment by striking out all after the words "ten teachers." Lost.

The amendment of Mr. Richards did not prevail.

Mr. Hale moved to strike out "30," in Sec. 11, second line, and insert "20." Carried.

Mr. Moir moved to amend by inserting after the words "defray the," in the ninth line, the word "necessary." Carried.

Mr. Sears moved to amend by inserting the words, "not more than once in the same year." Lost.

Mr. Hixson moved to amend by striking out the words "fifty dollars," in seventh line, and inserting the words "one hundred dollars." Lost.

Mr. Hale moved to strike out of Sec. 12, in second line, the words, "under this act," and insert the words, "of him by law." Carried.

Mr. Spurrier moved to strike out, in first and second line, the words "thirteen hundred," and insert "one thousand," on which question the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Bereman, Bruce, Bell, Carey, Campbell, Carbee, Cort, Christoph, Clark, Day, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Glendenning, Latham, Maxwell, Munsell, Oliver, O'Brien, Pritchard, Russell of Washington, Richards, Sturgis, Stanton and Spurrier—29.

The nays were Messrs. Bromley, Baylies, Buckham, Burke, Brown, Close, Davis, Finkbine, Gilchrist, Hale, Hildreth, Hixon, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Lathrop, Logan, Littler, Lindley, Lindsay, Lyons, Merriam, Meissner, Mills, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Paulk, Perry, Potter, Runyon, Sanderson, Sears, Simpson, Smith, Skiles, Sweet, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—51.

Absent or not voting, Messrs. Andrews of Keokuk, Darby, Galland, Green, Gose, Horton, Magill, McKnight, Parker, Russell of Jones, Stiles and Weare.

The motion was lost.

Mr. Hale moved to strike out all after the word "law," in Section 12, and insert the following section:

"Sec. 13. The Superintendent of Public Instruction elected by the General Assembly, under the provision of this act, shall, within ten days after his election and qualification, take possession of all

books, papers and effects heretofore belonging or in anywise appertaining to the office of the Secretary of the Board of Education, whose office is hereby abolished."

The amendment prevailed.

Mr. Sweet moved to adjourn. Lost.

Mr. Campbell moved to strike out "1300," and insert "1200." Lost.

Mr. Finkbine moved that the bill be ordered to be engrossed, and read a third time to-morrow. Carried.

Mr. Thomson, by leave, offered the following amendment to Sec. 7. Add as follows: "Provided, that he shall cause to be inserted in the Journal he may so select a correct copy of any decision he may deem it necessary to make for the more effective carrying out of the School Law." Carried.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
WEDNESDAY, Feb. 17th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Dr. Peet.

Journal of yesterday read and approved.

Mr. Fry, by leave, called up House File No. 99, "A bill for the relief of the families of non-commissioned officers and private soldiers in the United States service, and of those who have died or been disabled in such service," and moved that it be referred to a special committee of 7. Carried.

The Speaker appointed as select committee, Messrs. Fry, Fuller, Garrett, Helm, Knox, Lathrop and McMaken.

Mr. Stiles called up House File No. 94, "A bill for an Act entitled an Act for the government and regulation of the State University of Iowa," and moved that it be referred to committee on Schools and Universities. Carried.

Mr. Fenn, by leave, called up House File No. 108, "A bill for an Act changing the time of holding the regular session of the District Court in the county of Audubon, for the year 1864," and moved that it be read a 3d time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Davis, Dorr, Elliott, Fann, Fry, Fuller, Finkine, Glendenning, Green, Gose, Gilchrist,

Hale, Hildreth, Hixson, Helm, Horton, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Spurrier, Sweet, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—81.

The nays were, Mr. Oliver—1.

Absent or not voting, Messrs. Andrews of Decatur, Darby, Garrett, Galland, Holdridge, Magill, Paulk, Simpson, Skiles and Thompson.

The bill passed and the title was agreed to.

#### PETITIONS.

Mr. Weare presented the petition of I. N. Whittam, and others, praying for a more stringent Liquor Law. Referred to committee on Intemperance.

Mr. Lyons presented the petition of Chas. E. Root and others, remonstrating against the repeal of the prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Campbell presented a similar petition from the county of Mahaaka, which was referred to same committee.

Mr. Maxwell presented the petition of T. J. Ross and other citizens of Story county, praying for a more stringent Liquor Law. Referred to same committee.

#### REPORTS OF COMMITTEES.

Mr. Russell of Washington, from committee on Sanitary Affairs, reported back Mrs. Wittenmyer's report, and also the message from the Governor on sanitary matters, and recommended that 3,000 copies of both be printed. The report was adopted.

#### INTRODUCTION OF BILLS.

Mr. Baylies introduced House File No. 115, "A bill for an Act to change the boundaries of the counties of Dallas and Polk, and to provide for transcribing the records of the same. Read a first and second time and referred to committee on New Counties.

Mr. Russell of Jones introduced House File No. 116, "A bill for an Act for the transfer of real estate, to regulate the assessment thereof, and facilitate the collection of revenue." Read a first and second time, and, on motion, was laid on the table and ordered to be printed.

#### RESOLUTIONS.

Mr. Hixson offered the following joint resolution :

WHEREAS, There is no attribute of Almighty God that can take part with American Slavery; and

WHEREAS, The institution of Slavery has alienated the affections of the American people from each other, precipitated upon the nation all the calamities of civil war, and has sought to prostrate forever the grandest and most sublime effort ever made by man for his own government and political happiness; and

WHEREAS, The foes of our national existence at home and abroad, in the South and in the northern sections of our beloved country, are clutching at the throat of our national existence, impelled thereto, and instigated to the awful crime, by the interests and influence of the institutions of Slavery; therefore be it

*Resolved by the General Assembly of the State of Iowa,* That our Senators be instructed, and our Representatives be requested, to use every influence in their power to abolish slavery within the entire jurisdiction of the United States.

*Resolved,* That the Secretary of State be directed to furnish copies of this preamble and resolution to the President of the United States and our Senators and Representatives in Congress forthwith.

Mr. McNutt moved its adoption.

Mr. Stiles moved that the resolution be referred to standing committee on Federal Relations. Lost.

Mr. Davis moved the resolution be made special order for Tuesday evening next at 7½ o'clock in Committee of the Whole.

Mr. Knox moved to lay the whole matter on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bereman, Carey, Campbell, Cort, Christoph, Finkbine, Gilchrist, Knox, McCall, McCormack, McKnight, Oliver, O'Brien, Paulk, Pritchard, Richards, Sturgis, Stiles and Vinton—19.

The nays were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carbee, Close, Clark, Day, Davis, Dorr, Elliott, Fenn, Fry, Garrett, Glendenning, Green, Gose, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Jeffries, Joy, Johnson, King, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, Nelson, Parker, Perry, Potter, Russell of Jones, Russell of Washington, Runyon, Sander-son, Sears, Simpson, Stanton, Smith, Skiles, Spurrier, Sweet, Thom-son, Van Sandt, Weare, Wolf, White and Mr. Speaker—67.

Absent or not voting, Messrs. Brown, Darby, Fuller, Galland, Holdridge and Magill.

The motion did not prevail.

The motion to make the resolution the special order, did not pre-  
vail.

Mr. Oliver offered the following amendment: Add after the first

resolution, the words, "And be it further resolved, that the President of the United States be, and is hereby memorialized to use the power vested in him as Commander-in-Chief of the army and navy of the United States, in every legitimate manner, for the same purpose."

Mr. Finkbine moved to adjourn. Carried.

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Two o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Finkbine, the House resolved itself into committee of the whole on the resolution offered by Mr. Hixon, Mr. Finkbine in the Chair.

The committee rose and reported progress, and asked leave to sit again this evening at 7 o'clock. Granted.

Mr. Pritchard moved that two more members be added to the select committee on Railroads, and that Messrs. Moir and Joy be said members.

On which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bromley, Bell, Baylies, Brown, Carbee, Closs, Dorr, Fuller, Hale, Hildreth, Hixson, Helm, Hurst, Jeffries, King, Lathrop, Logan, Maxwell, Moir, McCall, McCormack, McKnight, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Stiles, Smith, Sweet, Vinton, Weare, Wolf, White and Mr. Speaker—43.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Buckham, Carey, Campbell, Cort, Christoph, Clark, Day, Davis, Elliott, Fenn, Fry, Finkbine, Garrett, Glendenning, Green, Gose, Horton, Johnson, Knox, Latham, Littler, Lindley, Lindsay, Lyons, Merriam, Meissner, Milla, Munsell, McMaken, McNutt, O'Brien, Sturgis, Stanton, Skiles, Spurrier, Thompson, and Van Sandt—41.

Absent or not voting, Messrs. Burke, Darby, Galland, Gilchrist, Holdridge, Joy, Magill and Russell of Jones.

The motion prevailed.

Mr. Finkbine moved that we now adjourn until 7 o'clock. Carried.

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SEVEN O'CLOCK, P. M.

House met pursuant to adjournment.

The hour for special order having arrived, the House resolved itself into committee of the whole—Mr. Finkbine in the chair.

The committee rose, reported progress, and asked leave to sit again on Tuesday evening next at 7 o'clock. Granted.

On motion, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
THURSDAY, February 18th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Thompson Bird.

Journal of yesterday read and approved.

PETITIONS.

Mr. Burke presented the petition of John Dunn, and others, of Bremer county, praying for the repeal of the present Prohibitory Liquor Law. Referred to committee on Intemperance.

Also, a similar petition of R. Morehouse. Referred to the same committee.

Mr. McCall presented the petition of John A. Hull, and other owners of river lands in Boone county, asking for an arrangement with the Cedar Rapids and Missouri River Railroad Company for quieting their titles. Referred to committee on Railroads.

Also, a remonstrance of John A. Hull, and others, against the resumption of Land Grant, &c. Referred to select committee on Railroads.

Mr. Weare presented a similar remonstrance of C. M. Hollis, and forty others. Referred to the same committee.

Mr. Runyon also presented a similar remonstrance. Referred to same committee.

Mr. Latham presented a petition from the citizens of Van Buren county, remonstrating against the repeal of the present Liquor Law. Referred to committee on Intemperance.

REPORTS OF COMMITTEES.

MR. SPEAKER:—The joint committee on Enrolled Bills beg leave to report that they have examined House File No. 52, and Senate Files No's. 32, 48 and 53, find the same correctly enrolled and present them for your signature.

ALEX. RUNYON, Chairman.

**MR. SPEAKER:**—The joint committee on Enrolled Bills, beg leave to report that they have presented to his excellency, the Governor, for his approval, House Files No's, 26 and 34.

ALEX. RUNYON, Chairman.

MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House of Representatives is respectfully asked :

Senate File No. 126, "A bill for an Act to amend Chapter 37 of Revision of 1860, in relation to contested elections."

Senate File No. 131, "A bill for an Act to provide for the sale of the swamp lands in the several counties of this State.

WM. F. DAVIS, Secretary of Senate.

MESSAGES AND COMMUNICATIONS.

Message from the Senate was taken up.

Senate File No. 126, "A bill for an Act to amend Chap. 37 of the Revision of 1860, in relation to contested elections," was read a first and second time, and referred to committee on Elections.

Mr. Johnson asked to be excused during this session of the House. Granted.

Senate File No. 131, "A bill for an act to provide for the sale of swamp lands in the several counties of this State," was taken up, read a first and second time, and referred to committee on Public Lands.

Mr. Close moved that the special message of Gov. Kirkwood, relating to compensating the agent to select lands, &c., be taken up and referred to committee on Ways and Means. Carried.

Mr. Baylies, by leave, called up House File No. 96, "A bill for an Act apportioning the State of Iowa into Representative Districts."

On motion of Mr. Weare, the House resolved itself into Committee of the Whole on the bill under consideration, Mr. Weare in the chair.

The committee rose and reported the bill back to the House, recommending its passage.

On motion, the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Paulk moved that the Bill reported back by the Committee of the Whole, be read a 3d time and put upon its passage.

Mr. Oliver moved to amend, as follows:

Strike out Sections 56, 58, 59, 60, 61, 64 and 65, and insert the Sections of the same numbers here following, and add section 68 here following:

SEC. 56. The counties of Butler and Grundy shall constitute the 55th District, and be entitled to one representative, and the votes cast therein for Representative shall be canvassed at the county seat of Butler County.

SEC. 58. The counties of Webster, Pocahontas, Palo Alto and Emmett, shall constitute the 57th District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Pocahontas County.

SEC. 59. The counties of Humboldt, Kossuth, Winnebago and Worth, shall constitute the 58th District, and shall be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Kossuth County.

SEC. 60. The counties of Hamilton, Franklin, Wright and Hancock, shall constitute the 59th District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Wright County.

SEC. 61. The counties of Dickenson, Clay, O'Brien and Buena Vista, shall constitute the 60th District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Clay County.

SEC. 64. The counties of Harrison and Shelby shall constitute the 63d District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Harrison County.

SEC. 65. The counties of Calhoun, Green, Carroll and Audubon, shall constitute the 64th District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Carroll County.

SEC. 68. The counties of Guthrie, Adair and Cass, shall constitute the 67th District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Adair County.

Mr. Hildreth moved to re-commit bill and amendments to the committee on Senatorial and Representative Districts. Carried.

#### BILLS READ SECOND TIME.

Senate File No. 99, "A bill for an Act for the encouragement of Public Libraries," was taken up.

Mr. Bereman offered the following amendment to Sec. 2, by adding the words, "and one such copy to each of the following Institutes, viz: to the State University, the Hospital for the Insane, the Deaf and Dumb Asylum, the Blind Asylum, the State Penitentiary, and State Agricultural College, also, one copy to each of the

libraries of all public Colleges and incorporated literary Institutions of this State." Carried.

Mr. Stiles moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Gilchrist, Hildreth, Hixon, Helm, Horton, Hurst, Jeffries, Joy, Johnson, King, Latham, Lathrop, Logan, Littler, Lindley, Lyons, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—84.

The nays were none.

Absent or not voting—Messrs. Bell, Galland, Hale, Holdridge, Knox, Lindsey and Magill.

The bill passed and the title was agreed to.

House File No. 86, "A bill for an Act providing for recording United States revenue stamps attached to instruments of writing," was taken up.

Mr. Nelson moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Hildreth, Hixon, Helm, Horton, Hurst, Jeffries, Joy, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lyons, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyan, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—83.

The nays were none.

Absent or not voting, Messrs. Bell, Galland, Gilchrist, Hale, Holdridge, Johnson, King, Lindsey and Magill.

The bill passed, and the title was agreed to.

## MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has adopted the following resolution :

*Resolved*, By the Senate, that the House of Representatives be requested to return to the Senate a resolution providing for the printing of the report of Mrs. Wittenmyer on sanitary affairs, adopted by the Senate.

W. F. DAVIS, Secretary Senate.

The Senate message relating to Resolution to print Mrs. Annie Wittenmeyer's report, was by leave, taken up.

Mr. Bereman moved that the vote by which Mrs. Wittenmeyer's report and the Governor's special message relating to Sanitary Affairs, was ordered printed, be reconsidered.

Mr. Litler moved that the motion to reconsider, lie upon the table. Lost.

The motion to reconsider, prevailed.

On motion, the report of the committee recommending that Mrs. Annie Wittenmeyer's report and the special message of the Governor, relative to Sanitary Affairs, be printed, was laid on the table.

Mr. Merriam moved that the committee on Sanitary Affairs be instructed to report back to this House the Senate joint resolution relating to printing Mrs. Wittenmeyer's report. Carried.

Mr. Finkbine moved that the joint resolution be amended by adding the words, "and 3000 copies of the Governor's special message relating to Sanitary Affairs be printed with the report, and that they be bound together." On which the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Darby, Davis, Dorr, Elliott, Fry, Finkbine, Glendenning, Green, Gose, Gilchrist, Hildreth, Hixson, Helm, Horton, Hurst, Jeffries, Joy, King, Knox, Latham, Lathrop, Littler, Lindley, Lindsay, Lyons, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Oliver, O'Brien, Parker, Paulk, Perry, Prichard, Potter, Russell of Washington, Richards, Runyon, Sanderson, Simpson, Sturgis, Stiles, Stan-Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, ton, Wolf, White and Mr. Speaker.—71.

The nays were Messrs. Bereman, Bell, Baylies, Burke, Day, Fenn, Hale, Jeffries, Logan, Merriam, McKnight, Nelson, Russell of Jones and Sears—15.

Absent or not voting, Messrs. Fuller, Garrett, Galland, Holdridge, Johnson and Magill.

The amendment prevailed.

On motion, the resolution was adopted.

Mr. Finkbine, by leave, called up House File No. 102, "A bill

for an Act relating to Life Insurance Companies," and moved its reference to a special committee of five. Carried.

The Speaker appointed as said committee, Messrs. Finkbine, Stiles, Richards, Gilchrist and Moir.

House File No. 50, "A bill for an Act to amend Sec. 1, of Chap. 151, of the acts of the 9th General Assembly," was taken up.

Mr. Hale moved that the bill be made special order for Saturday morning at 10 $\frac{1}{2}$  o'clock. Lost.

Mr. Baylies moved that the bill be laid on the table. Lost.

Mr. Paulk moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bell, Buckham, Burke, Brown, Carey, Carbee, Christoph, Clark, Day, Dorr, Elliott, Fenn, Green, Hixson, Helm, Logan, Maxwell, McCall, Parker, Potter, Stiles, Skiles and Weare—23.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Baylies, Campbell, Cort, Close, Darby, Davis, Fry, Fuller, Garrett, Galland, Glendenning, Gose, Gilchrist, Hale, Hildreth, Horton, Hurst, Jeffries, Joy, King, Knox, Latham, Lathrop, Littler, Lindley, Lindsey, Lyons, Merriam, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCormack, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Richards, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf White and Mr. Speaker—63.

Absent or not voting, Messrs. Finkbine, Holdridge, Johnson, McGill, McKnight and Runyon.

The bill did not pass.

House File No. 31, "A bill for an Act to prohibit profanity and obscenity," was taken up.

Mr. Russell moved to strike out in Sec. 1, the words "of the age of eighteen years and upwards." Carried.

Mr. Oliver moved to amend as follows: "Provided that no member of this General Assembly shall be subject to punishment under this Act."

Mr. Maxwell moved to strike out "three" and insert "one." Carried.

Mr. Johnson offered the following amendment: *Provided*, that none of the provisions of this Act shall be construed to apply to officers or soldiers while in the military service. Lost.

Russell of Jones moved that the bill and amendments be laid on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were, Messrs. Bereman, Buckham, Brown, Elliott, Finkbine, Gilchrist, Joy, Johnson, Knox, Latham, Lathrop, Logan,

Meissner, Moir, McCall, McCormack, McKnight, Oliver, Parker, Paulk, Perry, Pritchard, Russell of Jones, Sturgis, Stiles, Spurrier, Vinton, Weare and Mr. Speaker.—29.

The nays were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Baylies, Carey, Campbell, Cort, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fry, Fuller, Garrett, Green, Hale, Hildreth, Hixson, Helm, Horton Hurst, Jeffries, King, Littler, Lindley, Lindsey, Lyons, Merriam, Maxwell, Mills, McMaken, McNutt, Nelson, O'Brien, Potter, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Stanton, Smith, Skiles, Sweet, Thompson, Van Sandt, Wolf and White.—54.

Absent or not voting, Messrs. Burke, Carbee, Christoph, Gal-land, Glendenning, Gose, Holdridge, Magill and Munsell.

The motion did not prevail.

The question recurring on the motion to adopt Mr. Oliver's amendment did not prevail.

Mr. Russell of Washington, offered the following amendment :

Insert after the words "Holy Ghost" the words, "with intent to provoke, injure or insult any other person, or to disturb the peace or quiet of any public or private assembly."

Mr. Lindsay moved to adjourn until 7½ o'clock this evening. Lost.

Mr. Richards moved that the bill and amendments be made the special order for Saturday at ½ past 10 o'clock A. M. Lost.

The question recurring on the motion to adopt the amendment offered by Russell of Washington, it was decided in the affirmative.

Mr. Sears offered the following amendment :

Strike out the words "of the age of eighteen years and upwards, in Sec. 2." Carried.

Mr. Littler moved to refer the whole matter to a select committee of 5, with instructions to report a new bill. Carried.

Messrs. Littler, Hildreth, Lindley, Hale and Darby, were appointed said committee.

On motion the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
FRIDAY, February 19th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Thompson Bird.

Journal of yesterday read and approved.

#### PETITIONS.

Mr. Littler presented the petition of V. W. Andrews, and other

citizens of Washington county, praying that the duties and compensation of County Superintendents be increased. Referred to committee on Schools and Universities.

Also, three remonstrances from the same county, remonstrating against the repeal of the present Liquor Law. Referred to committee on Intemperance.

Mr. McCall presented the remonstrance of Geo. Walton, and twenty-eight other citizens of Boone county, against the resumption of the Land Grant, &c. Referred to select committee on Railroads.

Mr. Oliver presented a similar remonstrance. Referred to same committee.

Mr. Weare also presented a similar remonstrance from the citizens of Linn county, which was referred to same committee.

Mr. Wolf presented a petition of Mr. L. P. Atkins, and other citizens of Cedar county, asking that the manufacture of ale and beer may be prohibited by law.

Mr. Lyons presented the remonstrance of Samuel Miller, and other citizens of Henry county, remonstrating against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Cort presented the petition of Isaac Hughs, and 120 others, asking for the repeal of the present Game Law. Referred to committee on Agriculture.

#### REPORTS OF COMMITTEES.

Mr. Johnson, from committee on Military Affairs, reported as follows:

Mr. SPEAKER:—The Standing Committee on Military Affairs, to whom were referred certain resolutions of this House, instructing them to inquire what legislation was necessary in order to provide for the payment of certain officers holding commissions and commands in the regiments of this State, for services rendered in pursuance of orders issued by the Governor of said State, beg leave to report that they have carefully considered the subject, and find that in some instances commissioned officers of Iowa regiments have been ordered on duty by the Governor of the State, and have been placed in command of troops which were being raised in this State for the service of the United States; that said officers have assisted in filling up, drilling, and organizing companies and regiments of said troops. They also find that by the existing United States Army Regulations, such officers are not entitled to pay from the United States until their respective commands attain to at least a minimum number of men.

Your Committee are unanimous in opinion that it does not comport with the dignity of the State to require the services of her citizens in any capacity and refuse to pay a just and reasonable compensation for such services when faithfully rendered.



Entertaining these views, your Committee have instructed me to prepare the bill herewith presented, and to recommend that the said bill do pass.

JOHNSON, Chairman Sub. Committee.

MR. SPEAKER:—Your Committee on "Engrossed Bills," to whom was referred "House File No. 90," respectfully report that they have examined said Bill after Engrossment, and they believe it to be correctly engrossed.

VINTON, Chairman *pro tem*.

Mr. Oliver moved that Mr. Parker be added to the select committee on Railroads. Lost.

By leave, Mr. Russell of Jones, presented the claim of Wm. Thos. Carroll, Clerk of Supreme Court of United States. Referred to committee on judiciary.

#### INTRODUCTION OF BILLS.

Mr. Hurst introduced House File No. 117, "A bill for an Act to create the office of Medical Director at large for the State of Iowa, and to prescribe the duties thereof, and for other purposes," read a 1st and 2d time, and referred to committee on Sanitary Affairs.

#### RESOLUTIONS.

Mr. Brown offered the following resolution, which was adopted:

*Resolved*, That the use of the Hall of the House of Representatives be granted to the lobby members on Saturday evening next at 7 o'clock.

Mr. Garrett offered the following resolution:

*Resolved*, That standing rule No. 41 of this House, be suspended, by striking out "10 o'clock A. M." and inserting "9 o'clock A. M." Laid over under the rule.

Mr. Bereman, by leave, introduced House File No. 118, "A bill for an Act to repeal Sec. 8 Chap. 25, laws of extra session," which was read a 1st and 2d time, and moved that the bill be engrossed and read a 3rd time to-morrow. Carried.

The hour having arrived for special order, Mr. Richards moved that the special order be suspended until Tuesday evening at 7½ o'clock.

Mr. Wolf moved to amend by striking out the word "Tuesday" and inserting the words "to-morrow morning" at 10½ o'clock. Carried.

The question recurring on the motion, as amended, it prevailed.

Mr. Finkbine, by leave, introduced House File, No. 119, "A bill for an Act establishing a Military Department in the State Univer-

sity." Read a first and second time, and referred to committee on Military Affairs.

#### BILLS READ A SECOND TIME.

House File No. 77, "A bill for an Act to prohibit certain stock from running at large," with substitute offered by committee to whom the bill was referred, was taken up.

On motion, the bill and substitute was recommitted to committee on Agriculture.

#### BILLS ON THEIR PASSAGE.

House File No. 90, "A bill for an Act to abolish the Board of Education of the State of Iowa, to provide for the election of a Superintendent of Public Instruction, and for other purposes," was taken up and read a third time.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Carbee, Cort, Christoph, Close, Clark, Darby, Davis, Dorr, Fenn, Fry, Finkbine, Garrett, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixson, Horton, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Perry, Potter, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker.—79.

The nays were Messrs. Campbell, Day, Elliott, Fuller, McKnight, Russell of Washington and Weare—7.

Absent or not voting, Messrs. Galland, Helm, Holdridge, Magill, Paulk and Pritchard.

The bill passed and the title was agreed to.

House File No. 120, "A bill for an Act to empower the State Auditing Board to audit and allow the claims of certain officers," was taken up, read a first and second time, and referred to committee on Ways and Means.

Mr. Hildreth, by leave, submitted the following report:

The committee on Schools and State University, to whom was referred House File No. 94, have considered the same, and instructed me to report the bill back and recommend its passage.

HILDRETH, Chairman.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, to wit:

Senate File No. 64, "A bill for an Act to amend Chap. 175, acts of the 9th General Assembly, at its regular session, in which the concurrence of the House is respectfully asked.

House File No. 108, "A bill for an Act changing the time of holding the regular session of the District Court in Audubon county for the year 1864.

Also, that the Senate has concurred in the House amendments to Senate File No. 18, "A bill for an Act to increase the number of Judges of the Supreme Court."

WM. F. DAVIS, Secretary Senate.

House File No. 94, "A bill for an Act to amend an Act entitled an Act for the government and regulation of the State University of Iowa," was taken up.

Mr. Meissner moved to amend by striking out of 3d section, second and third line, the words "and the President of the faculty a member ex-officio." Lost.

Mr. Weare moved to reconsider the vote just taken. Lost.

Mr. Fry moved that the word "three" be stricken out of 3d section, and the word "four" inserted.

On motion, the House resolved itself into a committee of the whole on the bill under consideration, Mr. Hale in the Chair. The committee rose and reported progress.

On motion of Mr. Paulk, the bill was recommitted to committee on Schools and State University, with instructions to report a bill embodying such amendments as they may deem necessary. Carried.

On motion, House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Paulk moved to reconsider the vote by which the bill, House File No. 94, was recommitted to committee on Schools and State University. Carried.

The further consideration of the bill was resumed.

Mr. Logan moved to amend by striking out "four" and inserting "two" in Sec. 5. Lost.

Mr. Finkbine moved to amend Sec. 14, by striking out in fourth line the word "he" and inserting the word "they." Carried.

Mr. Paulk moved to amend by striking out Sec. 14.

Mr. Sears moved to insert after the word "desired," the words "for the space of 3 years." Lost.

The motion to strike out Sec. 14, prevailed.

Mr. Bereman moved to strike out the enacting clause. Lost.

Mr. McNutt moved to strike out of Sec. 15 the word "Legislature" and insert the words "General Assembly." Lost.

Mr. McNutt moved to amend the 7th line of 17th Section after the word "instruction," so as to read "in United States Stocks or Stocks of the State of Iowa." Carried.

Mr. McNutt moved to amend by inserting in 1st line of Sec. 18, after the word "report," the words "through the Superintendent of Public Instruction." Carried.

Mr. Hale moved to insert the word "regular" before the word "session." Carried.

Mr. Campbell moved to insert in 2d line before the word "which," the words "on the 2d day thereof." Carried.

Mr. Richards moved to insert in 18th Sec. 6th line, after the word "expenditures" the words "and the items thereof," Carried.

Mr. Littler, moved to amend Sec. 9, by striking out the words "twenty-five thousand" and inserting the words "fifty thousand." Carried.

Mr. Wolf moved to insert in same Sec., 8th line, after the word "two" the words "or more." Carried.

Mr. Johnson moved to amend 19th Section, by inserting, after the word "Acts" in 3d line, the words "heretofore passed for the government and regulation of the State University of Iowa." Lost.

Mr. Lindsay moved to amend the last section by striking out the words "Iowa Homestead," and inserting the words "Iowa Instructor and School Journal."

Mr. Bereman moved to add the words "Iowa School Journal" to the Section. Lost.

The question recurring on the motion to strike out "Homestead," the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bereman, Bell, Buckham, Brown, Cort, Christoph, Close, Clark, Elliott, Fry, Fuller, Garrett, Helm, Horton, Knox, Maxwell, Meissner, Oliver, O'Brien, Pritchard, Potter, Russell of Washington, Richards, Simpson, Stiles, Stanton, Skiles, Spurrier, Thompson and Weare—30.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Baylies, Burke, Carey, Campbell, Carbee, Day, Darby, Davis, Dorr, Finkbine, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hurst, Jeffries, Joy, Johnson, King, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Parker, Paulk, Perry, Russell of Jones, Runyon, Sanderson, Sears, Sturgis, Smith, Sweet, Van Sandt, Wolf, White and Mr. Speaker—55.

Absent or not voting—Messrs. Fenn, Galland, Hixson, Holdridge, Magill, McKnight and Vinton.

The motion did not prevail.

Mr. Hale moved that the bill be engrossed, and read a third time to-morrow. Carried.

Mr. Moir moved that when this House adjourn, it be until Tuesday morning at 10 o'clock. Carried.

Mr. Hale, by leave, submitted the following report:

The special committee, to whom was referred House File No. 112, "A bill for an Act to resume certain lands, interests, rights, powers and privileges granted to the State of Iowa by the United States and by the State of Iowa, conditionally conferred upon certain Railroad Companies," beg leave to report that they have had the same under consideration, and after a careful and full investigation of the whole subject, a majority of said committee have instructed me to report the bill back and recommend its passage.

WM. HALE, Chairman.

Mr. Baylies, by leave, submitted the following report:

The committee on Senatorial and Representative Districts, to whom was recommitted House File No. 96, with proposed amendments, beg leave to report the same back, with the following amendments: Strike out the word "Clayton," in the 34th section, and insert the word "Clinton." Strike out all after Sec. 55, and insert annexed sections in lieu thereof. And, so amended, recommend its passage. All of which is respectfully submitted.

NICHOLAS BAYLIES, Chairman.

Sec. 56. The counties of Butler and Grundy shall constitute the fifty-fifth district, and be entitled to one representative, and the votes cast therein for representative shall be canvassed at the county seat of Butler county.

Sec. 57. The counties of Floyd and Cerro Gordo shall constitute the fifty-sixth district, and be entitled to one representative, and the votes cast therein shall be canvassed at the county seat of Floyd county.

Sec. 58. The counties of Webster, Pocahontas, Palo Alto and Emmet shall constitute the fifty-seventh district, and be entitled to one representative, and the votes cast therein for representative shall be canvassed at the county seat of Webster county.

Sec. 59. The counties of Worth, Winnebago, Kossuth and Hancock shall constitute the fifty-eighth District, and be entitled to one representative, and the votes cast therein for representative shall be canvassed at the county seat of Winnebago county.

Sec. 60. The counties of Humbolt, Wright, Franklin and Hamilton shall constitute the fifty-ninth District, and be entitled to one representative, and the votes cast therein for representative shall be canvassed at the county seat of Wright county.

Sec. 61. The counties of Dickinson, Clay, O'Brien and Buena Vista shall constitute the sixtieth District, and be entitled to one

representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Clay county, provided also that the unorganized counties of Occola and Lyon shall be attached to this district.

SEC. 62. The counties of Woodbury, Plymouth, Cherokee and Sioux, shall constitute the 61st District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Woodbury County.

SEC. 63. The counties of Monona, Crawford, Ida and Sac, shall constitute 62d District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Crawford County.

SEC. 64. The counties of Harrison and Shelby shall constitute the 63d District, and shall be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Harrison County.

SEC. 65. The counties of Calhoun, Carroll and Audubon, shall constitute the 64th District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Carroll County.

SEC. 66. The counties of Guthrie, Adair and Cass, shall constitute the 65th District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Adair County.

SEC. 67. The counties of Montgomery, Adams and Union, shall constitute the 66th District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Adams County.

SEC. 68. The counties of Taylor and Ringold shall constitute the 67th District, and be entitled to one Representative, and the votes cast therein for Representative, shall be canvassed at the county seat of Taylor County.

The report was adopted.

Mr. Moir moved that the bill be engrossed and read a 3d time next Wednesday. Carried.

Mr. Spurrier, by leave called up House File No. 37, "A bill for an Act to restrain persons from carelessly leading or driving stock across bridges maintained at public charge," with the substitute bill introduced by the committee.

On motion, the substitute bill was adopted.

Mr. Richards moved that the last section be stricken out. Carried.

On motion of Mr. Spurrier, the bill was read a third time and put upon its passage.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Deca-

catur, Bruce, Bromley, Burke, Brown, Campbell, Carbee, Cort, Close, Clark, Darby, Davis, Dorr, Elliott, Fry, Finkine, Garrett, Green, Hildreth, Hurst, Jeffries, Knox, Latham, Littler, Lindley, Lindsey, Meissner, Mills, Munsell, McMaken, McCall, McCormack, McKnight, O'Brien, Parker, Perry, Richards, Runyon, Sears, Sturgis, Spurrier, Wolf, White and Mr. Speaker—45.

The nays were Bereman, Bell, Buckham, Baylies, Carey, Day, Fenn, Fuller, Glendenning, Gose, Gilchrist, Horton, Joy, Johnson, King, Lathrop, Logan, Lyons, Merriam, Maxwell, Moir, McNutt, Nelson, Oliver, Paulk, Pritchard, Potter, Russell of Washington, Sanderson, Simpson, Stiles, Stanton, Smith, Skiles, Sweet, Thompson, Van Sandt, Vinton and Weare—39.

Absent or not voting, Messrs. Christoph, Galland, Hale, Hixson, Helm, Holdridge, Magill and Russell of Jones.

The bill was rejected.

Mr. Runyon asked leave of absence for Mr. Helm. Granted.

Mr. Russell, of Washington, offered the following resolution :

*Resolved*, That no bill shall be introduced into this House after the 25th inst., except by a standing committee.

Mr. Littler moved to amend by striking out "25th" and inserting "28th." Carried.

The resolution did not prevail.

Mr. Hildreth moved to take concurrent resolution of the Senate, relating to adjournment, from the table. Carried.

Mr. Bell moved to concur.

Mr. Russell, of Washington, moved to lay the motion to concur on the table, on which motion the yeas and nays were demanded, resulting as follows :

The yeas were Messrs. Andrews of Keokuk, Bromley, Baylies, Brown, Cort, Elliott, Finkbine, Gose, Hale, Jeffries, Joy, Latham, Merriam, Maxwell, Meissner, Mills, McMaken, Nelson, Oliver, Parker, Perry, Russell of Jones, Russell of Washington, Richards, Sanderson, Stiles, Stanton, Smith, Weare and Wolf—30.

The nays were Messrs. Bereman, Bruce, Bell, Buckham, Burke, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fry, Fuller, Garrett, Glendenning, Green, Gilchrist, Hildreth, Horton, Hurst, Johnson, King, Knox, Lathrop, Logan, Littler, Lindley, Lindsay, Lyons, Munsell, Moir, McNutt, McCall, McCormack, McKnight, O'Brien, Paulk, Pritchard, Potter, Runyon, Sears, Simpson, Sturgis, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, White and Mr. Speaker—55.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Galland, Hixson, Helm, Holdridge and Magill.

The motion did not prevail.

Mr. Moir moved to strike out the word "fifteenth" and insert the word "twenty-second."

Mr. Russell of Jones moved to strike the word "fifteenth" and insert "first Tuesday in March."

Mr. Nelson moved to adjourn. Lost.

Mr. Russell, of Washington, moved that the resolution be indefinitely postponed, pending which the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
TUESDAY, February 23d, 1864. }

House met pursuant to adjournment.

Prayer. by Rev. J. M. CHAMBERLAIN.

Journal of Friday read and approved.

PETITIONS AND MEMORIALS.

Mr. Hildreth presented a memorial and joint resolution asking Congress for a grant of Lands to aid in the construction of a Railroad westward from McGregor. Referred to committee on Railroads.

Mr. Hale presented the petition of James Mullen, Nathaniel Dean and H. C. Watkins, of Mills County, praying for the resumption of the lands granted to Railroads, &c. Referred to committee on Railroads.

The following message was received from the Senate:

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, to-wit:

Senate File No. 124, "A bill for an Act to amend subdivisions 5 of Sec. 663 of the Revision of 1860.

Senate File No. 159, "A bill for an Act supplemental to an Act passed at the present session entitled "An Act to provide for reporting, publishing and distributing the decisions of the Supreme Court of this State.

Also, a Joint Resolution recommending certain changes in the act of Congress approved July 1st, 1862, establishing a Pacific Railroad and branches.

In which the concurrence of the House is respectfully asked.

I am also directed to return herewith, House File No. 42, "A bill for an Act entitled an Act to amend Sec. 4779 and 4780 of the Revision of 1860, relating to pre-emptory challenges in criminal cases. The same having been indefinitely postponed by the Senate.

The Senate has also passed Senate File No. 123, "A bill for an



Act authorizing the transmission of funds to pay interest on State Bonds.

And House File No. 5, "A bill for an Act to amend Chap. 161 of the laws of the 9th General Assembly, approved April 3d, 1862.

Also, that the Senate has concurred in the House resolution, distributing the reports of the State Agricultural Society.

The Senate has also concurred in the House resolution regulating the time of opening and closing the Post Office of the Capitol, and has ordered printed the usual number of copies of the reports of the committees appointed to visit the State Agricultural Farm and Penitentiary, for the use of the General Assembly.

WM. F. DAVIS, Secretary of Senate.

Mr. Littler presented the petition of J. B. Hill, and 198 other citizens of Washington county, remonstrating against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Hixson presented the petition of Oscar F. Elliott, and other citizens of Marshal county, praying that the Orphan Asylum may be located at Marshall county. Referred to committee on Charitable Institutions.

Mr. Logan presented a similar petition from the citizens of Hamilton county. Referred to same committee.

Mr. Runyan also presented a similar petition from the citizens of Benton county. Referred to same committee.

Mr. Paulk presented a resolution of the Board of Supervisors of Allamakee county, relating to Public Lands. Referred to committee on Public Lands.

Mr. Munsell presented the petition of C. T. Gardner, and other citizens of Van Buren county remonstrating against the repeal of the present Liquor Law. Referred to committee on Intemperance.

Mr. Runyon presented two remonstrances of the citizens of Benton and Tama counties, against the resumption of the Land Grant of the Cedar Rapids and Missouri River Railroad. Referred to standing committee on Railroads.

Mr. McCall presented four similar remonstrances from the citizens of Boone county, which were referred to select committee on Railroads.

Mr. Moir presented the petition of C. H. Crosby, and other citizens of Hardin county, praying for the repeal of the present Liquor Law, and the enactment of a License Law. Referred to committee on Intemperance.

Mr. Magill presented the petition of Lewis Beardsly, and other citizens of Marshall county, praying for a law making it obligatory upon railroads to deliver grain, &c. Referred to special committee on Railroads.

Mr. Fenn presented the petition of J. L. Frost and others, relating to the establishing of a mail route. Referred to committee on Federal Relations.

Mr. Runyon presented the claim of Fleet Drummond. Referred to committee on Claims.

Mr. Runyon presented the claim of Michael Donelan. Referred to same committee.

Mr. Carbee presented the petition of John Peet and others, asking for the passage of a law protecting them against frauds, &c. Referred to committee on Ways and Means.

#### REPORTS OF COMMITTEES.

I am instructed by committee of Ways and Means to report that they have considered House File No. 120, "A bill for an Act to empower the State Auditing Board to credit and allow the claim of certain officers," and recommend that do not pass.

W. J. GILCHRIST, Chairman.

I am instructed by committee of Ways and Means to report back to this House, House File No. 106, "A bill for an Act to provide for the sale of the revised code of 1860 at a reduced price," and recommend that it do not pass. The committee were of the opinion that it might be years before there would be another codification of the laws, and as the number on sale was limited, they might be needed by future General Assemblies, and parties that wanted them would buy them at their cost. Besides, some speculator might buy them at the price indicated in the bill, \$1,50, and hold them at such figure as to compel the State to get out another edition, or buy them at an exorbitant price, for the use of future General Assemblies.

W. J. GILCHRIST, Chairman.

The joint committee on Enrolled Bills, beg leave to report that they have examined Senate File No. 18 and following resolutions, viz: printing 1,000 additional copies of Insane Hospital Report, that discharged and disabled soldiers have preference in the employ of the Federal Government, and that Colonels of Iowa Regiments furnish the Adj't. General with a brief history of their respective regiments, find the same correctly enrolled, and present them for your signature.

ALEX. RUNYON, Ch'n. House Com. on Enr. Bills.

The Standing Committee on Engrossed Bills to whom was referred House File No. 96, "A bill for an Act apportioning the State of Iowa into Representation Districts; Also, House File No 94, "A bill for an Act to amend an Act entitled An Act for the government and regulation of the State University of Iowa," have examined the same and find them correctly engrossed.

HOLDRIDGE, Chairman.

MR. SPEAKER :—Your committee on Engrossed Bills to whom was

referred House File No. 118, respectfully report that said bill after engrossment has been examined, and your committee believe it to be correctly engrossed.

VINTON.

The committee on Roads and Highways to whom was referred Senate File No. 16, "A bill for an Act to amend Chap. 46 of the Revision of 1860," have had the same under consideration, and have instructed me to report back the bill and recommend that it do not pass, many of the provisions of the bill being considered by them of slight value, and that it is inexpedient to make any changes in the law as it now stands.

DORR, Chairman.

The committee on Roads and Highways, to whom was referred a substitute for Senate File No. 37, "A bill for an Act fixing the per diem of Road Supervisors," have had the same under consideration and have instructed me to report the bill back with an additional section and recommend its passage.

That they have had House File No. 85, "A bill for an Act amendatory of Sections 885 and 881, of the revision of 1860," under consideration, and have instructed me to report an addition Section in House File No. 37, as a substitute bill.

The committee have also had under consideration various communications referred to them, and I am instructed to report that in the opinion of the committee, further legislation on this subject is inexpedient at this time.

DORR, Chairman.

The committee on County and Township Organization, to whom was referred House File No. 43, "A bill for an Act entitled an Act to separate the office of Recorder from that of Treasurer, and to make the County Judge the recorder of deeds," and House File No. 75, "A bill for an Act entitled an Act to separate the office of Recorder from that of Treasurer and to make the County Judge the recorder of deeds," together with sundry petitions and resolutions relative to the same subject, having considered the same, have directed me to report them back to this House without any recommendation.

O. NELSON, Chairman.

MR. SPEAKER :—The committee on County and Township Organization, to whom were referred House Files Nos. 9 and 98, together with sundry petitions and remonstrances relative to the subject of county government, have had the same under consideration, and a majority of the committee beg leave to report that in their opinion the Supervisor system, as at present constituted, giving each township a representation in the administration of the county govern-

ment, is the true one, and is better adapted to the wants and necessities of the people than any other system that can be devised.

The County Judge and Commissioner systems have both been tried in this State and discarded, and while your committee do not deem themselves called upon *here* to enter into any arguments in favor of the existing system, yet they believe that a return at this time to a system of more centralized power than the present, would be highly unwise and impolitic. And here it may be proper also to suggest that too frequent changes in the laws have a tendency to create uncertainty and confusion highly detrimental to the best interests of the people. For these and other reasons that might be suggested, your committee recommend that the bills do not pass.

O. NELSON,  
A. J. BELL,  
J. H. FULLER,  
J. W. STANTON,  
C. PAULK.

The committee on Agriculture to whom was referred Senate File No. 69, "A bill for an Act to amend Chap. 67 of the Revision of 1860," have had the same under consideration, and have instructed me to report it back to the House, and to recommend that it do not pass.

H. M. THOMPSON, Chairman.

MR. SPEAKER:—The Standing Committee on Agriculture to whom was referred House File No. 77, "A bill for an Act to prohibit certain stock from running at large," have had the same under consideration, and have instructed me to report back to the House with a substitute, and to recommend that the substitute be adopted by the House and put upon its passage.

H. M. THOMPSON, Chairman.

The committee on Agriculture to whom was referred House File No. 113, "A bill for an Act to amend Chap. 102 of the acts of the regular session of the 9th General Assembly, in reference to estrays," have had the same under consideration, and have instructed me to report it back to the House with amendment, to-wit: Add the following as Section 2, "any person who is a house-holder suffering any work animal to remain on his or their premises for the space of ten days without taking up and advertising the same as provided in Section 3 of the act to which this is amendatory, shall be liable to a fine of not less than five nor more than fifty dollars for every such offence, and every person taking up any work animal and not advertising the same within three days thereafter, shall be guilty of a misdemeanor, and shall be fined in any sum not less than five nor more than one hundred dollars, and shall be liable for all damages that the owner of such animal may receive from such neglect," and to recommend that it be put upon its passage.

H. M. THOMPSON, Chairman.

The committee on Agriculture to whom was referred Senate File No. 77, "A bill for an Act to prohibit certain male stock from running at large," have had the same under consideration, and have instructed me to report it back to this House with the following amendment, to-wit: Add to the first section, "and shall be further liable to a fine not exceeding ——— dollars for every such offence," and to recommend that it be put upon its passage.

H. M. THOMPSON, Chairman.

The committee on Elections, to whom was referred Senate File No. 126, "A bill for an Act to amend Chap. 37 of the Revision of 1860," in relation to contested elections, have had the same under consideration, and have instructed me to report the bill back to this House, with the recommendation that the same do pass.

LITTLER, Chairman.

Mr. Russell, of Washington, reported back petitions and resolutions relative to mail routes, recommending they be laid on the table, and that the accompanying joint resolution be adopted.

Mr. Sears, for committee on Federal Relations, reported as follows:

MR. SPEAKER:—The committee on Federal Relations, to whom were referred several resolutions upon the subject of confiscation, have instructed me to report that they have had the same under consideration, and would report them back to the House, with the recommendation that they lie upon the table.

R. SEARS.

The report was adopted.

Mr. Bromley, from committee on Federal Relations, reported the following resolutions:

*Resolved by the House of Representatives, the Senate concurring,* That we heartily endorse the policy of paying soldiers and seamen of African descent, in the service of the United States, the same pay as is paid to other soldiers and seamen of the same grade.

*Resolved,* That we recognize the right of soldiers and seamen of African descent, in the service of the United States, to the same protection that other soldiers and seamen are entitled to by the laws of war.

*Resolved,* That the Secretary of State be instructed to forward to each of our Senators and Representatives in Congress a copy of the above resolutions.

The report was adopted.

Mr. Russell, from committee on Federal Relations, to whom was referred the joint resolution of Mr. Johnson, endorsing Abraham Lincoln, and the resolution of Mr. Baylies, referring to same matter, reported the same back to the House, with the following amendment:

Strike out the following words, "without adding," and insert the words, "at their earliest convenience," and add at the close of said resolution the following: "Or such other resolutions as they may propose for the consideration of this House."

Mr. Russell, of Washington, reported back House File No. 117, "A bill for an Act to create the office of Medical Director at Large for the State of Iowa, and to prescribe the duties thereof, and for other purposes," and recommended it do not pass.

On motion, the report was adopted.

Mr. Moir made the following minority report of special committee on Railroads:

The undersigned, a minority of the select committee to whom was referred House File No. 112, "A bill for an Act to resume certain land Interest Rights, &c.," beg leave to report that in our judgment it would be unwise in the General Assembly to resume the lands of the Land Grant Railroad Companies of this State, (and more especially of the Dubuque and Sioux City Railroad and the Cedar Rapids and Missouri River Railroad Companies,) for the following reasons.

1st. Such a proceeding would at once place the State administration in an attitude which would be construed into one of hostility by the monied men elsewhere, who are supplying these companies with means to extend their lines, and without whose aid it is well known, they cannot go on.

2d. The land Grant reverts to the General Government in two years from this time by the limitation of an act of Congress, and we cannot see what desirable result is to be obtained by anticipating that time through any action of our own.

On the contrary at a time when the States of Missouri and Kansas are striving with energy to make their routes the main thoroughfares to the Pacific, and with no small prospect of success, and when the Legislatures of those States are encouraging their Railroad Companies by the most friendly legislation to build and equip their lines at the earliest moment, we cannot see any good reason why we in Iowa should play into their hands by crippling ours, and thus retard the prosperity of our State and the welfare of our people for all time to come.

3d. It is no good answer to this to say that these Companies have not proceeded so fast as the State Land Grant act requires, for they still feel the full force of the financial crisis of 1857 and '58 which all but prostrated them, and they had hardly recovered from this when our domestic troubles broke out, and now they are contending with difficulties from the latter cause, among which are the scarcity and high price of labor, and an enormous advance in the price of Railroad Iron and rolling stock which tax their financial skill to the uttermost, and a resumption would be unjust to the several Railroad

Companies that have made the most extraordinary, almost miraculous exertions, and invested millions of money under a continued succession of financial difficulties unparalleled in the history of this country; and it cannot be expected if the State resume that the same companies will jeopardize their capital again; or can it be imagined that any other company will take the land and build or extend the several roads from their present western terminus to the Missouri river.

4th. In the face of all these difficulties the Dubuque and Sioux City Railroad has built and is operating 100 miles, and has 43 miles more in a state of forwardness for the reception of the Iron, besides which it has a tributary road from Farley to Cedar Rapids which though not on the main track is none the less useful to the counties of Jones, Delaware and Linn.

The Cedar Rapids and Missouri River Railroad now extends 174 miles from Clinton on the Mississippi River and 92 miles west of Cedar Rapids, and the cars are now running to Colo, in Story county, which only lacks about 7 miles of reaching the point required by the General Assembly on the first day of last December, and to offset that the Company have graded an amount equal to 10 miles west of Nevada; and all this has been accomplished without one acre of land, thus manifesting remarkable energy, resolution and indomitable perseverance that is worthy of a better response than that proposed by the bill under consideration. An outlay of \$1,400 more by the Company would have literally complied with the terms of the grant.

5th. It is stated that it is necessary to resume these Land Grants in order to protect the settlers on the river lands north of the Racoon Fork.

It strikes us as strange that this cry should come from members from those counties most remote from the locality of these roads, and that the proposition to resume on the two northern roads is not only not asked for by the people on the lines of these roads who are most interested in having the grants applied to their legitimate object, but they unanimously protest against resumption, through their Representatives upon this floor.

We believe that the claims of the settlers ought to be arranged satisfactorily to them, and that they can and will be arranged, those who have not, and so far as relates to the conflicting claims between the Railroad Companies and the Des Moines River Company, they can be determined by the courts, such questions requiring Judicial and not Legislative action.

6th. In order more fully to understand the relative rights of all parties, it will be necessary to look at the chronological history of the laws and actions relating to the Des Moines River Lands and the Railroad Lands.

1st. The grant to the then Territory of Iowa for the Improvement

of the Des Moines River, was made by an act of Congress approved Aug. 8th, 1846, while this act was pending, and before its passage, to-wit: May 8th, 1846, the Commissioner of the General Land office wrote a letter at the instance of Gen. Dodge, to the committee stating that the proposed act granted 261,000 acres, that being the amount below the Raccoon Fork.

[See opinion U. S. Sup. Court, 23d Howard, p. 83.]

Gov. Clark of Iowa, in his message to the General Assembly at the first session after the grant, stated that it extended only to the Raccoon Fork.

[See Senate Journal, 1st Session, p. 83. See also, letter of J. H. Piper, Com. Land Office, p. 309.]

2d. It has been held that said grant extended to the northern boundary of the State. The grant to Iowa for Railroad purposes was approved May 15, 1856.

[See Revision, pp. 916 and 917.]

While this bill was pending in Congress and on the 21st day of March 1856, the Commissioner of the General Land office at Washington decided that the Des Moines River Grant was limited to the Raccoon Fork.

[See Rep. Reg. St. Land Office, p. 22]

It will be seen therefore, that, at the time the Railroad Grant was made, Congress must have understood that the Des Moines lands were thereby granted to the Railroads, for the River Grant only extended to the Raccoon Fork.

3d. The Railroad Grant was accepted by Iowa by an act approved July 14, 1856, and conferred on the four Railroads.

[See Revision of 1860, pp. 215, &c.]

4th. By an act of the General Assembly approved March 26, 1860, the Air Line Grant was granted to the Cedar Rapids and Missouri River Railroad, and was accepted by said company.

5th. At the December Term 1859 of the Supreme Court of the United States, (the precise day your committee cannot ascertain,) but certainly before March 1860, when the land was granted to the Railroad Company, the court decided the case of Litchfield vs. Dubuque and Pacific Railroad Company, and expressly and necessarily held that the Des Moines River Grant extended only to the Raccoon Fork, and that the Railroad title under the Grant of May 15, 1856, was paramount and perfect.

[See 23d Howard, p 66, &c.]

This decision was made and was well understood long before the Cedar Rapids and Missouri River Railroad Company accepted the Grant, and the prospect of obtaining the river lands had a controlling influence in determining that acceptance.

6th. The Legislature of Iowa granted all the remaining Des



Moines River lands granted them by act of Aug. 8th, 1846, to the Keokuk, Ft. Des Moines and Minnesota Railroad Company, by an Act approved March 22d, 1858. [See revision of 1860, p. 908.] By the terms of this Act the Keokuk, Ft. Des Moines and Minnesota Railroad Company were to pay off certain liabilities amounting to \$85,890.86, [See Rep. Reg. p. 35,] \$35,346.46 having been paid by the State, to Brown & Allender and others, and were also to complete certain locks and dams, none of which has it done. It was also further provided that the Keokuk, Ft. Des Moines and Minnesota Railroad Company should build 75 miles of road by Dec. 1st, 1861, and 80 miles annually thereafter. They have only built 53 miles in all, but there is no resumption proposed as to that Company.

By this Act, 50,000 acres of land were to be set apart by the State and held as a security for the payment of the liabilities above stated, and for the completion of the locks and dams, &c.

7th. By an Act approved March 3d, 1860, the 50,000 acres were to be set apart next above the lands transferred to the Des Moines Navigation Company.

[See Revision of 1860, p. 910.]

8th. On March 3d, 1861, Congress passed a joint resolution relinquishing to the State all the title the United States then had in the lands *improperly* certified to the State under the grant of Aug. 8th, 1846, which were then held by *bona fide* purchasers under the State.

[See Rep. of Reg., p. 36.]

9th. On April 7th, 1862, the General Assembly passed a joint resolution asking Congress to extend the Des Moines Grant and for leave to divert to the Keokuk, Ft. Des Moines and Minnesota Railroad Company, a portion of said lands.

[See Acts of 1862, p. 250.]

10th. By an act of Congress, approved July 12th, 1862, the Des Moines River grant was extended to the northern boundary of the State, and consent given to divert it to the Keokuk, Ft. Des Moines and Minnesota Railroad Company, and indemnity lands granted for those whose titles had *proved invalid*. [See Rep. Reg., p. 36.]

In a full and thorough examination of the above-mentioned acts and resolutions, the undersigned have come to the conclusion that the State of Iowa is only trustee of the Railroad grant for a specified purpose, and cannot, even upon resumption, do any other act in relation to said lands, except to re-grant them for the purpose specified. Resumption will only "change the place, but keep the pain."

The grants by joint resolution of Congress, of March 3d, 1861, and by act of July 12th, 1862, do not repeal the railroad grant, and hence must be subject to it. *The same rule obtains as to grants which obtain as to deeds; the first made possess the best title. Re-*

sumption will only raise up new conflicting claims, and the railroad companies will of course test their rights by litigation, and in the meantime settlers would get tired of litigation and doubtful titles, and leave for the peace and security only to be found elsewhere. But if respect is paid to the wishes of the parties interested as settlers, and the matters all adjusted as proposed by the railroad companies, the titles will be quieted and the country improved.

For the foregoing reasons we respectfully dissent from the action of the majority of the committee, and recommend that all relating to the Dubuque & Sioux City Rail Road and the Cedar Rapids & Missouri River Rail Road be stricken from said bill.

W. J. MOIR.

Mr. Paulk moved to lay the report on the table and order it printed.

Mr. Finkbine moved to lay the report on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bell, Buckham, Baylies, Campbell, Cort, Christoph, Clark, Day, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Gilchrist, Hale, Horton, Hurst, King, Latham, Littler, Lindley, Lindsey, Lyons, Merriam, Maxwell, Mills, Munsell, McNutt, McCormack, Perry, Russell of Jones, Sears, Simpson, Sturgis, Stanton, Spurrier, Sweet, Van Sandt, Vinton, Wolf and Mr. Speaker—51.

The nays were Messrs. Bromley, Burke, Brown, Carey, Carbee, Close, Darby, Hildreth, Hixson, Holdridge, Jeffries, Joy, Johnson, Knox, Lathrop, Logan, Magill, Moir, McMaken, McCall, McKnight, Nelson, Oliver, Parker, Paulk, Pritchard, Russell of Washington, Richards, Ronyon, Sanderson, Stiles, Smith, Skiles, Thomson, Weare and White—36.

Absent or not voting, Messrs. Galland, Helm, Meissner, O'Brien and Potter.

The motion to lay on the table prevailed.

The special committee, to whom was referred Senate File No. 109, "A bill for an Act to amend Chap. 51, of the Revision of 1860, in relation to the incorporation of cities and towns," have had the same under consideration, and they have proposed a substitute, and they have instructed me to report the bill and substitute back to this House, and recommend the adoption and passage of said substitute.

BEREMAN, Chairman.

The Special Committee to whom was referred Senate File No. 36, "A bill for an Act to amend Chap. 173 of the laws of the 9th General Assembly, in relation to the office of city and town Assessors, with Senate substitute therefor, have had the same under con-

sideration, and have instructed me to report the same back to this House, and recommend the passage of said substitute with the accompanying amendment.

Add to Section 1st, the following:

*Provided also*, That nothing in this act or in the act of which this is amendatory, shall be construed to forbid the election of a city Assessor for city purposes only, by the City Council of any city incorporated by special acts of the General Assembly of this State in accordance with the law now governing said cities.

BEREMAN, Chairman.

The committee on Conference appointed by the House to confer with a similar committee on the part of the Senate in the disagreement of the Senate to the House amendment to Senate File No. —, being the Library Appropriation Bill, beg leave to report that they have conferred with the Senate Committee, and that the Senate Committee agreed to recommend that the Senate concur in the House amendment.

EDWARD H. STILES, Chairman.

The committee on Public Lands, to whom was referred House File number 109, "A bill for an Act to repeal Chap. 160 of the acts of the 9th General Assembly, and to provide for a settlement of Swamp Land Claims with the United States," have had the bill under consideration, and instructed me to report it back to the House with the accompanying substitute, and recommend the adoption of the substitute.

JOHN RUSSELL, Chairman.

The committee on Public Lands, to whom was referred substitute for Senate File No. 131, "A bill for an Act to provide for the sale of the swamp lands in the several counties of this State," would report the same back to the House, and recommend that the same do not pass, the Committee believing that no law ought to be passed that will allow swamp lands to be sold at less than one dollar and twenty-five cents per acre.

MERRIAM, for Committee.

Mr. Finkbine presented the following report from the committee appointed to visit the Penitentiary:

The undersigned Committee appointed in pursuance of the following joint resolution:

*Resolved by the House of Representatives, the Hon. Senate concurring*, That a Joint Committee, composed of two on the part of the House, and one on the part of the Senate, be appointed at once to visit the Penitentiary at as early a day as practicable, and that they be instructed to report the result of their investigations in relation to the suggestions and recommendations contained in the

Governor's Message of Jan. 22d, and also other matters pertaining to the public interest in the Penitentiary, to this General Assembly," beg leave to submit to the General Assembly the following report:

Your committee have carefully examined the Prison grounds, walls, and all buildings, as well as the proposed plans for enlarging and completing the Prison.

The Penitentiary is situated on the north bank of the Mississippi River at Fort Madison, and but a short distance from said river. It occupies a narrow point of land bounded by two small creeks, the one on the east, the other on the west. There has been a deep ravine in front of a part of the main building, which has been nearly filled up. North and in the rear of the prison is a hill, which overlooks the entire prison yard and buildings. The yard of the Prison is three hundred and fifty feet square; the main building forms two hundred feet of the south wall, at the south-west corner of which is the entrance gate facing towards the south. The west wall is completed, and is a passable good structure of stone. There is also about one half of the the east wall completed, with the exception of the coping, and is built the same as the one on the west. The entire north wall, about one-half of the east wall, and one hundred and eighteen (118) feet of the south wall is constructed of nothing but high posts and boards. The watch-towers are all completed except the one at the north-east corner of the yard, which has not been commenced. The towers at the south-west and south-east corners of the yard, have good substantial brick guard houses built upon them, while the one at the north-west corner has on it a very inferior guard house, built of rough boards. The Prison yard has been graded up to near a level, to do which has caused a fill to be made on the inside and outside of the east and west walls, in some places to the depth of 25 to 30 feet, while on the south and east they have filled some thirty feet, "and the whole grounds surrounded with deep ravines, high hills and abrupt precipices, east, north and west, once studded over with a dense forest, but now nearly bare. Such is the unpropitious location of the Iowa Penitentiary."

Inside of the Prison yard is a one-story frame building, used as a kitchen and dining room, for the use of convicts; it is but of little value, built of combustible material, and constantly endangering the shops and Prison building.

There is also inside the yard a number of old buildings and sheds, which are liable at any time to be consumed by fire, and which, in the opinion of your committee, should be removed as soon as possible. They have been and are at present used as lumber houses by the lessees of the convict labor.

The wash-house is a very inferior building, and also liable to take fire at any time, but if it should burn down, its situation is such that it in all probability would not endanger the shops or main building.

There are three shops inside the walls, built of brick with stone foundations, and covered with tin and slate, in which can be conveniently and profitably worked two hundred and fifty (250) convicts. There is room within the present enclosure to build one more shop, which will accommodate 100 more, making in the aggregate, room for the working of three hundred and fifty convicts.

The Prison building is two hundred (200) feet long by forty-four (44) feet wide, showing a two-story front, built of stone and covered with a pine shingle roof. Within this building and surrounding the cells is a corridor ten feet in width. The cells are three stories high, built of stone, with brick partitions and iron doors. The first and part of the second tiers of cells have either no ventilation at all, or if they have any, the tubes intended for that purpose connect the cells, so that convicts can easily converse from cell to cell, whilst they but poorly answer the purpose of ventilation. The forty cells now completed on the third range, have a good system of ventilation, and are better constructed than either of the others. The stairs and platform surrounding the cells are badly constructed, and are in an unsafe condition, while *there is not a first class Prison Lock in the whole Penitentiary building.* The building is poorly and badly lighted, and not warmed at all. The apparatus used for heating being common stoves, which are set at such a distance from the chimneys as to require about one hundred feet of pipe; that is fixed with an occasional drum so as to keep up a great deal more smoke than heat. The floor of the corridor is made of "grub plank," and in connection with the old buildings in the yard above referred to, affords a superb abode for a numerous tribe of rats, which appear to enjoy in the highest degree the pleasures of their retreat.

Thirty four (34) feet of the west end of the Prison building is used for the Warden's house. It is dark, damp, and badly arranged, inconvenient, and wholly unfit for a respectable residence. There is a hall ten (10) feet wide between the cell-room and Warden's house, which is the entrance to the Prison yard, and is the only "clerk's office" that the institution can boast of. Its only light is derived through a grated sash door on the one side, and a side light door on the other.

As we have before stated, there are three tiers of cells; each of these tiers has fifty-four (54) cells, excepting the upper or third tier, which has but forty completed, there being room for the erection of fourteen more, which, if completed, would make the whole number of cells one hundred and sixty-two, there being completed at the present time one hundred and forty-eight.

The plan proposed for the extension of the Prison is to build an octagon of sixty-four feet in diameter at the east end of the present main building; to build a Warden's house in front of and on the south side of the octagon; to continue a wing of the width and similar to the present building, north of the octagon, and to extend a

wing east of the octagon, to be used as a female prison; and also to raise the present building fifteen feet in height, and construct two more tiers of cells on top of the ones now built; to convert the present "clerk's office" and Warden's house into cell room; to take out the present small windows and put larger ones in.

Towards carrying out the above plans the foundation for the octagon has already been built, as well as one side wall of the foundation of the Warden's house, the whole costing between five and six thousand dollars.

The estimates made by the architect, Mr. Edwards, for the completion of the contemplated work, are as follows:

To complete the octagon.....	\$63,477
To build female wing.....	22,527
To build Warden's house.....	12,511
To build Prison wall.....	6,924
To raise present building and add two tiers of cells..	45,200
To convert Warden's house into Prison.....	23,000
<hr/>	
Making a total of.....	\$178,939

besides the convict labor that can be used on said work. This amount is exclusive of the cost of the wing proposed to be built at the north side of the octagon and extending into the prison yard. If this plan should be carried out there would be a total of four hundred and thirty (430) cells.

Should the General Assembly desire to incur the expense, it would be well to adopt the plans above referred to, and let whatever is done go to the ultimate completion of said plan.

Were the grounds suitable, and the yard sufficiently large, or could suitable adjacent ground be had, your committee would not hesitate to recommend the adoption of the plans, costly as they may appear to be, as they combine most of the essential elements that go to make up a first-class Prison. But looking at this ineligible situation of the Prison on account of the ground surrounding it, the limited number of convicts that could be profitably employed, your committee are constrained to recommend a change of plan that shall conform to the capacity of the grounds.

This, in our opinion, can be done by building a Warden's house and Clerk's office in front of the present main building; by converting the present Warden's house into cell room; by building a kitchen and dining room with hospital above (building the same fire proof,) inside of the yard and near the west wall, on the site of the present kitchen and dining room, and by raising the walls of the main building and adding two more tiers of cells to those already built. If this plan is carried out it will give the following room:

Cells now completed.....	148
Cells to be completed on third tier.....	14
Three tiers of cells in the present Warden's house.....	42
Two tiers additional in both ranges.....	136

Making the total number on this plan.....340

The last above-mentioned plan can be completed by the use of convict labor at the following cost:

Fourteen cells in third tier at \$143.....	\$2,002
Converting Warden's house into cells.....	10,500
Raising walls, slating roof, and building two tiers cells	36,000
Building Warden's house.....	5,000
Prison yard walls.....	6,796
Building kitchen and hospital.....	14,000

Aggregate cost.....\$74,298

Making a difference in cost of the two plans of \$99,641, and only a difference in the accommodation of the number of convicts to the amount of ninety.

The work that is at present needed is to take up the present floor of the corridors and put in concrete ones; to build the fourteen (14) cells on the third tier; to build the Warden's house and the Clerk's office, and complete the yard walls and towers. This will cost as follows (if the convict labor be employed,) including the necessary architect, foremen, additional guards, and tools:

For the corridor floor.....	\$284
For the fourteen cells, at \$143 each.....	2,002
For completing the yard walls, including the wall from the corner of the main building to the south-east corner of the yard.....	6,796
For building Warden's house.....	5,000

Total.....\$14,082

Your committee are clearly of the opinion that the Legislature should determine the plan to be carried out in the further improvements to be made in said prison, and to specify it so clearly that it cannot be mistaken; and whatever is done should be to carry out that design.

Your Committee are of the opinion, considering the short time that will elapse before the expiration of the lease of convict labor, that convicts should be employed in the prosecution of the work, or at least a portion of them.

We cannot take leave of this subject without adding our testimony to the neatness and cleanliness that we found throughout the entire prison and grounds, and the good order and strict discipline

that is maintained. Your committee are of the opinion that in this particular our State prison will compare favorable with those in the older States.

Your committee most earnestly recommend that the Legislature take some steps towards the improvement and safety of the prison—either adopting the plans as recommended in the former part of this report, or such others as may be determined in the judgment of the Assembly. In its present condition it is not a safe place of confinement for convicts. Nothing but the vigilance of the Warden, the close attention of the officers, and the watchfulness of the guards secure their confinement.

The law requires that the Warden should reside in the penitentiary. We think, taking into consideration the amount of the bond that is required of him, the amount of labor that he performs, the responsibility that rests upon him, and the danger attending the position that he occupies, justice would require that he be placed on the same footing that the principals of the asylums are; that he not only live in the institution, but that himself and family be subsisted by the State in addition to his present compensation.

We recommend an increase in the pay of the guards to forty-five dollars per month. Men fit for the place cannot be had or long retained for less money. It requires men not only of *nerve* but of character for this position.

All of which is respectfully submitted for your consideration.

D. P. STUBBS,	} Committee.
R. S. FINKBINE,	
J. H. BROWN,	

DES MOINES, Feb, 18th, 1864.

On motion, was laid on the table.

Mr. Weare moved to adjourn until to-morrow at 10 o'clock. Lost.

Mr. Potter was excused from attendance.

Mr. Munsell asked for leave of absence. Granted.

Mr. Stiles asked for leave of absence. Granted.

Mr. Hildreth was granted leave of absence, for to-day.

Messrs. Bell and Dorr were also granted leave of absence.

#### INTRODUCTION OF BILLS.

Mr. King introduced House File No. 125, "A bill for an Act defining the duties of County Surveyors," read 1st and 2d time and referred to committee on Township and County Organization.

Mr. King introduced House File No. 126, "A bill for an Act to legalize the acts of the Board of Supervisors of Harrison County," read a 1st and 2d time and referred to committee on Public Lands.

Mr. Finkbine offered the following resolution, which was laid over.

*Resolved*, That the Secretary of State be requested to inform this House whether any of the Railroad companies which have re-



ceived the benefits of the Railroad Land Grants, have filed in his office a regular annual report of their proceedings at the usual time and place of electing their officers, exhibiting a detailed statement as far as practicable, of the amount of their expenditures, liabilities, &c.

*Resolved further*, That in case any such statements have been filed that the Secretary be requested to furnish this House with copies of the same.

Mr. Thompson offered the following resolution, which was laid over under the rule.

*Be it Resolved by the House of Representatives*, That the Secretary of the Board of Trustees of the Iowa State Agricultural College and Farm be required to inform this House the names, time, when, the period for which each was appointed, expires, and the Judicial District which each legally qualified member of said Board of Trustees is appointed from.

Mr. Russell of Jones, offered the following resolution, which was laid over under the rule.

*Resolved*, That the Treasurer of State is hereby requested to furnish to this House a statement of the amount of money received by the State from the United States as compensation for Swamp Lands sold by the General Government, and what disposition has been made of the same.

#### MESSAGES AND COMMUNICATIONS.

A communication was received from Dr. Maxwell, Surgeon-at-large of the State.

On motion of Mr. Sears it was referred to a Select committee of five.

The Speaker appointed Messrs. Hurst, Van Sandt, Sears, Fenn and Thompson, said committee.

Senate File No. 124, "A bill for an Act to amend subdivision 5 of Sec. 663 of the Revision of 1860," was taken up.

Russell of Jones, moved to lay on the table. Lost.

Mr. Oliver moved to refer to committee on Town and County Organization. Carried.

Mr. Baylies moved to suspend the rule and take up Senate File No. 109, "A bill for an Act to amend Chap. 51 of the Revision of 1860 in relation to the incorporation of cities and towns." Carried.

Mr. Baylies moved that the Bill be read a 3d time and put upon its passage.

Mr. McNutt moved that the Bill be ordered printed.

On motion, the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The consideration of the question under discussion at the hour of adjournment, was resumed.

On motion, the Substitute Bill was adopted.

The question recurring on the motion to read the Bill the 3d time and put it upon its passage, was decided in the affirmative.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Glendenning, Gose, Hale, Horton, Holdridge, Jeffries, Johnson, King, Knox, Latham, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Wolf, White and Mr. Speaker.—69.

The nays were Messrs. Bell, Gilchrist, Lathrop and Vinton—4.

Absent or not voting, Messrs. Day, Galland, Green, Hildreth, Hixson, Helm, Hurst, Joy, Logan, Lindley, Munsell, McCall, McCormack, McKnight, O'Brien, Potter, Russell of Washington, Stiles and Weare.

The bill passed and the title was agreed to.

Mr. Baylies, by leave, called up Senate File No. 36, "A bill for an Act to amend Chap. 173 of the laws of the Ninth General Assembly, in relation to the office of City and Town Assessors."

Mr. Baylies moved that the amendment recommended by committee be adopted. Carried.

Mr. Baylies moved that the rule be suspended, and the bill read a third time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Cort, Christoph, Day, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Gilchrist, Hixson, Horton, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, Nelson, Parker, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Runyon, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Wolf, White and Mr. Speaker—70.

The nays were Messrs. Close, Fry, Lyons, McNutt, Oliver and Vinton—8.

Absent or not voting—Messrs. Burke, Galland, Hale, Hildreth, Helm, Hurst, Lindsey, Munsell, McCall, McCormack, McKnight, O'Brien, Potter, Richards, Stiles and Weare.

The bill passed and the title was agreed to.

Mr. Paulk, by leave, called up Senate File No. 131, "A bill for an act to provide for the sale of Swamp Lands in the several counties of the State," and moved that the bill be recommitted to committee on Public Lands. Carried.

#### INTRODUCTION OF BILLS.

Mr. Maxwell introduced House File No. 121, "A bill for an Act for the protection and further reclamation of Swamp and Overflowed Lands." Read a first and second time, and referred to committee on Public Lands.

Mr. Spurrier introduced House File No. 122, "A bill for an Act repealing a part of Sections 287 and 288 of Revision of 1860." Read a first and second time, and referred to committee on Agriculture.

Mr. Johnson introduced H. File No. 123, "A bill for an Act to provide for the appointment of Sanitary Agents, to define their duties, and to provide for their compensation." Read a first and second time.

On motion of Mr. Paulk, the bill was laid on the table.

Mr. Johnson introduced House File No. 124, "A bill for an Act to amend Chap. 22, of the revision of 1860, in relation to county Boards of Supervisors." Read a first and second time.

Mr. Russell, of Jones, moved that the bill lie on the table, on which question the yeas and nays were demanded and ordered resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Brown, Carey, Campbell, Carbee, Cort, Christoph, Dorr, Fry, Fuller, Garrett, Green, Gilchrist, Hale, Horton, Holdridge, King, Latham, Lathrop, Littler, Lyons, Merriam, Magill, Maxwell, Meissner, Muls, McMaken, McNutt, Nelson, Parker, Paulk, Perry, Prichard, Russell of Jones, Russell of Washington, Richards, Sears, Simpson, Stanton, Sweet, Thompson, Vinton, Weare, Wolf and Mr. Speaker.—51.

The nays were Messrs. Andrews of Decatur, Baylies, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Finkbine, Glendenning, Gose, Hixson, Jeffries, Joy, Johnson, Knox, Logan, Lindley, Moir, McCall, McCormack, McKnight, Oliver, Runyon, Sanderson, Sturgis, Smith, Skiles, Spurrier, Van Sandt and White—31.

Absent or not voting, Messrs. Burke, Galland, Hildreth, Helm, Hurst, Lindsay, Munsell, O'Brien, Potter and Stiles.

The motion prevailed.

Mr. Magill, by leave, introduced a memorial of the Board of Su-

pervisors of Clinton County. Referred to committee on Schools and Universities.

Mr. Bereiman moved that the vote taken by which the communication of Dr. Maxwell was referred to Select Committee, be reconsidered. Carried.

On motion, the communication was referred to committee on Sanitary Affairs.

Senate File No. 159, "A bill for an Act supplemental to an Act passed at the present session entitled An Act to provide for reporting, publishing and distributing the decisions of the Supreme Court of this State," was taken up, read a 1st and 2d time and referred to committee on Judiciary.

Senate Joint Resolution, recommending certain changes in the act of Congress approved July 1st, 1862, establishing a Pacific Railroad and Branches, was taken up and referred to committee on Railroads.

Senate File No. 123, "A bill for an Act authorizing the transmission of funds to pay interest of State Bonds," was taken up, read a 1st and 2d time and referred to committee on Ways and Means.

Senate File No. 64, "A bill for an Act to amend Chap. 175, acts of the 9th General Assembly, at its regular session," was taken up, read a 1st and 2d time and referred to committee on Military Affairs.

Mr. Magill, by leave, offered the following resolution:

*Resolved*, That the special committee to whom was referred House File No. 112, having reported upon said bill, be discharged, and instructed to transfer to the standing committee on Railroads, all memorials, petitions or other matters referred to them subsequent to the making of their report.

Mr. Russell, of Washington, moved to amend as follows:

"That the special committee, to whom was referred House File No. 112, be instructed to report back to this House all the memorials, petitions, or other matters referred to them subsequent to the making of the majority report, and be discharged. Carried.

Mr. Russell, of Washington, moved to reconsider the vote just taken.

Mr. Russell, of Jones, moved to lay the motion on the table. Carried.

#### BILLS READ A SECOND TIME.

House File No. 112, "A bill for an Act to resume certain lands, interests, rights, powers and privileges granted to the State of Iowa by the United States, and by the State of Iowa conditionally conferred upon certain Railroad Companies," was taken up.

Mr. Oliver moved that the Bill be made the special order for Monday next at 10½ o'clock.

Mr. Bereman moved to amend by striking out "Monday" and inserting the word "to morrow."

Mr. Magill moved to amend the amendment by inserting "Thursday."

Mr. Sears moved to adjourn. Lost.

Mr. Magill asked leave to withdraw his amendment. Granted.

Mr. Merriam moved to amend by referring the Bill to committee of the whole House. Carried.

On motion, the Bill was referred to committee of the whole House on Thursday next at 10½ o'clock.

On motion, the House adjourned until 7 o'clock this evening.

SEVEN O'CLOCK, P. M.

House met pursuant to adjournment.

The hour for special order (the Slavery Resolution of Mr. Hixson, and amendment) having arrived, the House resolved itself into committee of the whole, Mr. Finkbine in the chair.

The committee rose and reported progress.

On motion the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
WEDNESDAY, February 24th, 1864. }

House met pursuant to adjournment.

Prayer, by Rev. J. M. Chamberlain.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

Mr. Runyon presented the remonstrance of G. A. Watrons and 27 other citizens of Benton county, against the resumption of the Land Grant of the Cedar Rapids and Missouri River Railroad. Referred to committee on Railroads.

Mr. Weare presented a similar remonstrance from the citizens of Linn county. Referred to the same committee.

Mr. Lindley presented the petition of Leroy Lambert and other citizens of Dallas and Guthrie counties, praying for a law changing the boundaries of said counties. Referred to committee on New Counties.

Mr. Andrews, of Keokuk, presented the claim of J. H. Sanders, for services as Clerk pro-tem during the organization of the House. Referred to committee on Claims.

Mr. Maxwell presented the remonstrance of W. J. Graham and other citizens of Story county, against the resumption of the Land Grant to the Cedar Rapids and Missouri River Railroad Company. Referred to committee on Railroads.

Also, a petition of J. A. McFarland and others, asking the State to make an arrangement with the Cedar Rapids and Missouri River Railroad Company for quieting claims to lands. Referred to same committee.

Mr. Thompson presented the petition of J. J. Smart and other citizens of Scott county, asking for an amendment in the School Law. Referred to committee on Schools and University.

Mr. Oliver presented the remonstrance of J. W. Dennison and others, citizens of Crawford county, against the resumption of the Land Grant of the Cedar Rapids and Missouri River Railroad Company. Referred to committee on Railroads.

Mr. Hixson presented a similar remonstrance of James L. Williams and seventy-five others of Marshall county. Referred to same committee.

Also, a petition from Linn county, asking that the location of the Orphan Asylum may be at Marshalltown. Referred to committee on Charitable Institutions.

Mr. Vinton presented the petition of Hon. J. H. Powers and others, of Chickasaw county, praying for the enactment of a stringent Dog Law. Referred to committee on Agriculture.

Also, a remonstrance of Board of Supervisors and county officers of Chickasaw county, against change in the present system of county government. Referred to committee on County and Township Organization.

Mr. Close presented the petition of E. D. Andrews and others, praying for an amendment to Sec. No. 624, Chap. 46, Revision of 1860, so as to compel petitioners for roads to give written notice, &c. Referred to committee on Roads and Highways.

Mr. Latham presented the petition of A. Dickey and others, praying that a bill may be passed making the city of Farmington a city of the second class. Referred to committee on Incorporations.

Mr. Littler presented the remonstrance of Wm. Allen, and also a remonstrance of J. L. L. Terry, of Washington county, against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance. Mr. Glendenning presented two certificates, relating to injuries received by one Perry Talles, member of Co. D, 28d Iowa Infantry, while on duty at Winterset, Iowa, previous to being mustered into United States service. Referred to committee on Military Affairs.

## MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your Honorable Body that the Senate has passed Senate File No. 162, "A bill for an Act changing the times of holding courts in the Fifth Judicial District, in which the concurrence of the House is respectfully asked.

W. F. DAVIS, Secretary Senate.

## REPORTS OF COMMITTEES.

The committee on the Judiciary to whom was referred Senate File No. 10, "A bill for an Act to amend Sec. 5 of Chap. 19 of the acts of the 9th General Assembly, entitled an Act to fix the salaries of certain officers," have had the same under consideration, and a majority have instructed me to report the same back to this House, and recommend its passage with the accompanying amendment.

After the words "Jury trial" in the 11th line, strike out the words "five dollars," and insert, "in cases of misdemeanor five dollars, and in each Jury trial in cases of felony, ten dollars," and after the words "actually collected," insert the words "by him."

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred Senate File No. 159, "A bill for an Act supplemental to an act passed at the present session entitled an Act to provide for reporting and distributing the decisions of the Supreme Court of this State," have had the same under consideration, and have instructed me to report the same back to this House, with a recommendation that it do pass.

BEREMAN, Chairman.

The committee on Agriculture, to whom was referred House File No. 73, "A bill for an Act authorizing the trustees of the Iowa State Agricultural College and Farm to sell all lands acquired, granted, donated or appropriated for the benefit of said college, and make an investment of the proceeds thereof," have had the same under consideration, and have instructed me to report it back to the House with the following amendments, to wit: Add to the first section, "Provided, that not more than ten per cent. of the lands granted by Congress, July 2d, 1862, as aforesaid, shall be sold by said Board of Trustees, previous to the first day of April, A. D. 1866; and provided further, that none of the lands so disposed of by said Board at any time shall be sold for a less sum than one dollar per acre." Also, after the first line of the second section, insert so as to read as follows, to wit: "All of the proceeds of the lands thus sold, except ten per cent. thereof, shall be invested," &c., and to recommend that it be put upon its passage.

H. M. THOMPSON, Chairman.

Mr. Magill, from committee on Railroads, reported back House File No. 4, "A bill for an Act for the benefit of the Iowa & Missouri State Line Railroad Company," recommending it do not pass.

The select committee to whom were referred House File No. 39, "A bill for an Act to provide relief for the families of Iowa soldiers," have had the same under consideration, together with a similar committee on the part of the Senate, and hereby report the following substitute, and recommend its passage.

HOLDRIDGE, Chairman.

#### RESOLUTIONS LAID OVER.

Mr. Finkbine's resolution of Inquiry offered yesterday relative to Railroads, was taken up, and on motion, was adopted.

The resolution of Mr. Russell of Jones, offered yesterday relating to moneys received from sales of Swamp Lands, was taken up, and on motion, was adopted.

The resolution of Mr. Thompson offered yesterday relating to Trustees of Agricultural College, was taken up, and on motion, adopted.

#### INTRODUCTION OF BILLS.

Mr. Burke introduced House File No. 127, "A bill for an Act providing for the formation of the 12th Judicial District, and fixing the time for holding Courts therein, and fixing the time for holding Courts in the 10th and 11th Judicial Districts, and to provide for the election of a District Judge and District Attorney, in the 12th Judicial District."

Mr. Oliver moved that the reading be dispensed with, the Bill read 2d time by its title and be laid on the table. Carried.

Mr. Skiles introduced House File No. 128, "A bill for an Act to amend Sec. 3, Chap. 173 of the acts of the regular session of the 9th General Assembly," read a first and 2d time and referred to committee on Ways and Means.

Mr. Joy introduced House File No. 129, "A bill for an Act fixing the time of holding Courts in the 4th Judicial District, and attaching certain counties in said District to others for Judicial purposes." Read a 1st and 2d time.

Mr. Oliver moved that the word "daily" in last Section be stricken out. Carried.

Mr. Oliver moved that the rule be suspended and the bill be read a 3d time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Elliott, Fenn,



Fry, Finkbine, Garrett, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixson, Helm, Hurst, Holbridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—80.

The nays were none.

Absent or not voting, Messrs. Andrews of Decatur, Bell, Dorr, Fuller, Galland, Horton, Munsell, McCall, Potter, Russell of Jones, Sturgis and Stiles.

The bill passed and the title was agreed to.

Mr. Johnson moved that House File No. 128, "A bill for an Act to provide for the appointment of Sanitary Agents, to define their duties, and to provide for their compensation," be taken up. Carried.

Mr. Baylies moved to amend 1st Section by inserting the name of "Mrs. Anna Wittenmyer."

Mr. Fry moved to insert the name of "Mrs Wood." Lost.

The question recurring on the motion to insert the name of Mrs. Annie Wittenmyer, it was lost.

Mr. Paulk moved that the number of Sanitary Agents mentioned in 1st Section, be limited to five.

Mr. Vinton moved to amend the amendment as follows: After the word "five," insert the words, "none of which shall be females."

On motion, the House adjourned.

Two o'clock P. M.

House met pursuant to adjournment.

The subject under consideration at the hour of adjournment, was resumed.

The question recurring on the motion to amend the amendment, the yeas and nays were demanded and ordered resulting as follows:

The yeas were Messrs. Brounley, Campbell, Cort, Christoph, Hildreth, McCormack, Paulk, Richards, Stanton and Vinton—10.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Buckham, Burke, Brown, Carey, Carbee, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fuller, Glendenning, Green, Gose, Gilchrist, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Logan,

Littler, Lindley, Lindsay, Lyons, Merriam, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, McKnight, Nelson, O'Brien, Parker, Perry, Pritchard, Russell of Jones, Russell of Washington, Runyon, Sanderson, Sears, Simpson, Sturgis, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—70.

Absent or not voting, Messrs. Bell, Baylies, Dorr, Fry, Finkbine, Galland, Lathrop, Magill, Munsell, Oliver, Potter and Stiles.

The amendment was lost.

The question recurring on the motion to limit the number of agents to "five," it was decided in the negative.

Mr. Paulk moved to amend Sec. 2 by adding to the section the words, "and the Governor shall be authorized and required to discharge any, or all, of the agents he may appoint, under the authority conferred by this Act, whenever, in his opinion, the services of such agents, or any of them, are no longer required." Carried.

M. Moir moved to amend Sec. 3, by striking out the words "one hundred dollars," and inserting the words "seventy-five dollars."

Mr. Knox moved to amend by striking out the words, "one hundred dollars," and inserting the words, "sixty dollars."

The question was divided, the motion to strike out prevailed.

Mr. Latham moved to amend by inserting the words, "ninety dollars." Lost.

The question recurring on the motion of Mr. Moir to fill the blank with "seventy-five dollars," the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Burke, Brown, Carbee, Campbell, Close, Clark, Davis, Elliott, Fenn, Finkbine, Garrett, Galland, Glendenning, Green, Gilchrist, Hale, Hixson, Hurst, Jeffries, Joy, Johnson, King, Latham, Logan, Littler, Lindley, Lindsey, Merriam, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, Nelson, Parker, Paulk, Perry, Pritchard, Russell of Washington, Runyon, Sanderson, Sears, Sturgis, Smith, Skiles, Thomson, Van Sandt, Weare, Wolf, White and Mr. Speaker—58.

The nays were Messrs. Carey, Cort, Christoph, Day, Darby, Dorr, Fuller, Goss, Hildreth, Helm, Horton, Knox, Lathrop, Lyons, McCormack, McKnight, O'Brien, Richards, Simpson, Stanton, Spurrier, Sweet and Vinton—23.

Absent or not voting, Messrs. Bell, Baylies, Fry, Holdridge, Magill, Munsell, McCall, Oliver, Potter, Russell of Jones and Stiles.

The motion prevailed.

Mr. Paulk moved that the Bill be recommitted to committee on Sanitary Affairs, with instructions.

Mr. Richards asked leave of absence for Messrs. Cort and Christoph. Granted.

Mr. Bromley asked leave of absence for Mr. Fry. Granted.

The motion to recommit did not prevail.

Mr. Lindsey moved to amend as follows: "And further, it shall be the duty of the Governor to require the persons so appointed to give good and sufficient security in two or more persons, to the probable amount of money they may be called to disburse." Lost.

Mr. Finkbine moved to reconsider the vote just taken. Carried.

The question recurring on the motion of Mr. Lindsey to amend, it was decided in the affirmative.

Mr. Paulk moved to amend as follows:

Insert the words, "The said agents shall report to the Governor prior to the next meeting of the General Assembly a full and complete financial statement showing all monies received and disbursed by them; which statement shall be laid before the Legislature by the Governor." Carried.

Mr. Bereman moved that the Bill be engrossed and read a 3d time to-morrow. Carried.

Mr. Baylies moved that Senate File No. 162, "A bill for an Act changing the time of holding courts in the 5th Judicial District," be taken up. Carried.

On motion of Mr. Baylies the rule was suspended, the bill read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Richards, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—80.

The nays were none.

Absent or not voting, Messrs. Bell, Cort, Christoph, Fry, Galland, Horton, Magill, Munsell, Oliver, Potter, Runyon, and Stiles.

The bill passed, and the title was agreed to.

Mr. Hale moved to take up Senate File No. 72. Lost.

On motion, House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
THURSDAY, Feb. 25th, 1864.

House met pursuant to adjournment.

Prayer by Rev. Mr. Nash.

Journal of yesterday read and approved.

Mr. Baylies, by leave, moved, that the special order be postponed until Monday next, at 10½ o'clock, and that Mr. Hale be added to the committee on railroads.

Mr. Elliott moved to lay the motion on the table. Lost.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the honorable House of Representatives that the Senate has concurred in the House amendments to Senate File No. 99, "A bill for an Act for the encouragement of Public Libraries;" Senate File No. 25, "A bill for an Act to amend Sec. 30, of Chap. 29, of the laws of the extra session of the 9th General Assembly;" and in the joint resolution of the House, "endorsing the policy of paying soldiers and seamen of African descent the same pay given to other soldiers and seamen of the same grade."

The Senate has also passed a joint resolution providing for Trustees of the Iowa Agricultural College.

Senate File No. 20, "A bill for an act to amend Sec. 432 of the Revision of 1860."

Senate File No. 96, "A bill for an Act supplemental and amendatory to Chap. 58 of the Revision of 1860."

Senate File No. 97, "A bill for an Act requiring reports from the clerks of the several Boards of Supervisors in this State, concerning School Lands."

Senate File No. 187, "A bill for an Act making appropriations for the payment of State and Judicial officers, interest on State Bonds and Loans, and for other purposes."

In all of which, the concurrence of the House is respectfully asked.

The Senate has also passed House Substitute for Senate File No. 109, "A bill for an Act to amend Chap. 51 of the Revision of 1860 in relation to the Incorporation of cities and towns."

And, has ordered printed for the use of the General Assembly 1500 copies of the report of the officers of the Asylum for the Blind.

WM. F. DAVIS, Sec. Senate.

The question recurring on the motion of Mr. Baylies, the question was divided, and the motion to add Mr. Hale to the committee on Railroads prevailed.

The question to postpone special order to Monday was decided in the affirmative.

Mr. Burke, by leave, called up House File No. 127, "A bill for an Act providing for the formation of the 12th Judicial District, and fixing the time for holding courts therein, and fixing the time for holding courts in the 10th and 11th Judicial Districts, and to provide for the election of District Judge and District Attorney in the 12th Judicial District," and on motion, it was referred to a Special committee of six from the 10th and 11th Judicial Districts.

The Speaker appointed as the committee Messrs. Burke, Gilchrist, Sturgis, Maxwell, McCall and Hixson.

Mr. Finkbine, by leave, called up the report of the committee appointed to visit the Penitentiary, and moved it be referred to committee on Public Buildings. Carried.

Mr. Wolf, by leave, called up House File No. 43, "A bill for an Act entitled an Act to separate the office of Recorder from that of Treasurer, and to make the County Judge the Recorder of Deeds," and moved that it be referred to a select committee of five, with Mr. Sturgis as Chairman. Carried.

The Speaker appointed as the committee Messrs. Sturgis, Vinton, Runyon, Clark and Lindley.

Mr. Sanderson moved that the rule be suspended and Senate File No. 95, "A bill for an Act to provide for the preliminary survey of a Ship Canal route from the State of Iowa eastward to the Illinois river," be made the special order for this afternoon at 2 o'clock P. M. Carried.

#### PETITIONS AND MEMORIALS.

Mr. Darby presented the petition of W. C. Newlon and 95 others, to separate the office of Treasurer and Recorder, making the County Judge Recorder of Deeds. Referred to special committee.

Mr. Weare presented the remonstrance of J. Davenport and 40 other citizens of Linn County, against the resumption of the Land Grant of the Cedar Rapids and Missouri River Railroad. Referred to committee on Railroads.

Mr. Runyon presented a similar remonstrance from the citizens of Benton County. Referred to same committee.

Mr. Maxwell also presented two similar remonstrances from the citizens of Story and Boone Counties. Referred to same committee.

And also a petition of purchasers of river lands, asking the State to make an arrangement with the Cedar Rapids and Missouri River Railroad Company for quieting their titles. Referred to same committee.

Mr. Hixson presented the petition of A. O. Abbott and 39 other citizens of Marshall County, asking that the Orphan Asylum may be located at Marshalltown. Referred to committee on Charitable Institutions.

Mr. Knox presented the petition of S. T. Caldwell, and other citizens of Wapello county, asking for a change from the County Su-

pervisor system to that of Commissioner system. Referred to committee on Township and County Organization.

Mr. Campbell presented the petition of H. Brown and 136 others, of Mahaska county, remonstrating against the increase of the salary of County Superintendents. Referred to committee on Schools and Universities.

#### REPORTS OF COMMITTEES.

MR. SPEAKER:—The joint committee on Enrolled Bills beg leave to report that they have examined Senate File No. 36, House File No. 108, and Resolution authorizing the distribution of Agricultural Reports, find the same correctly enrolled, and present them for your signature.

A. RUNYON,

Chairman of House Com. on Enrolled Bills.

MR. SPEAKER:—The committee on Charitable Institutions have instructed me to report back House File No. 21, together with a substitute for the same, and recommend that the substitute pass.

FINKBINE, Chairman.

The committee on Public Lands, to whom was referred the petition of the Board of Supervisors of the county of Keokuk, asking the "General Assembly to enact a law, exempting the lands which may be selected as Swamp Lands by the several counties in accordance with the laws in relation thereto, from taxation for the term of five years from the date of their location," would report that they have had the same under consideration, and have instructed me to report the same back to the House and recommend that the prayer of the petition be not granted.

MERRIAM, for Committee.

Adopted.

The standing committee on Engrossed Bills, have examined House File No. 123, "A bill for an Act to provide for the appointment of Sanitary Agents, to define their duties, and to provide for their compensation," and find the same correctly engrossed.

HOLDRIDGE, Chairman.

The standing committee on Sanitary Affairs to whom was referred the "reply of Dr. Maxwell to certain resolutions of enquiry," beg leave to report, that they have examined said reply, and believing that the subject matters therein contained are not of such general interest as would warrant its publication, recommend that it do lie on the table.

RUSSELL, of Washington, Chairman.

Report adopted.

## RESOLUTIONS.

Mr. Finkbine offered the following resolution, which was laid over under the rule :

*Resolved*, That the Attorney General of the State be requested to inform the House whether or not men mustered into the State service in accordance with Sec. 3d of Chap. 11th, of acts of extra session of Eighth General Assembly, and rejected before mustering into the service of the United States, are entitled to pay from the State according to the provisions of said or any other law of this State.

Mr. Baylies moved that the rule be suspended, and House File No. 96, "A bill for an Act apportioning the State of Iowa into representative districts," be taken up, read a third time, and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Brown, Carey, Campbell, Garbee, Close, Clark, Day, Darby, Davis, Fenn, Finkbine, Garrett, Green, Gose, Gilchrist, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Latham, Lathrop, Logan, Littler, Lindley, Lyons, Merriam, Magill, Meissner, Mills, Moir, McMaken, McNutt, McCormack, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Stanton, Smith, Skiles, Sparrier, Sweet, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker.—67.

The nays were Messrs. Hildreth, Parker, Russell of Jones, and Sturgis—4.

Absent or not voting, Messrs. Bell, Burke, Cort, Christoph, Dorr, Elliott, Fry, Fuller, Galland, Glendenning, Hale, Horton, Knox, Lindsey, Maxwell, Munsell, McCall, McKnight, Potter, Stiles and Weare.

The bill passed and the title was agreed to.

Mr. Magill, by leave, submitted the following report, which was adopted :

The standing committee on Railroads, to whom was referred a memorial and joint resolution asking Congress for a grant of lands to aid in the construction of a railroad from McGregor, on the Mississippi river, to a point on the Missouri river between Sargent's Bluff and the north boundary of State, having considered the same, have instructed me to report the same back with the following amendment, and recommend its adoption so amended :

**AMENDMENT.**—After the words "May 15th, 1856," insert, "Excepting and excepting all lands heretofore granted by Congress to the State of Iowa, or claimed by actual settlers."

Mr. Hixson moved that the rule be suspended, and the resolutions in regard to slavery be taken up. Lost.

Mr. Finkbine, by leave, presented the claim of Mr. Stimmington, which was referred to committee on Claims.

Mr. Thomson, by leave, introduced House File No. 180, "A bill for an Act to amend Sec. 1704, in relation to State aid to county agricultural societies." Read a first and second time, and referred to committee on Agriculture.

## MESSAGES AND COMMUNICATIONS.

The following communication from the Secretary of State, in response to the resolution of inquiry offered by Mr. Finkbine, was received and read, and on motion was laid on the table:

STATE OF IOWA,  
OFFICE OF THE SECRETARY OF STATE, }

*To the Speaker of the House of Representatives*, In response to the following resolutions of the House of Representatives, viz:

"Resolved, That the Secretary of State be requested to inform this House whether any of the Railroad Companies, which have received the benefits of the Railroad Land Grant, have filed in his office "a regular annual report of their proceedings or the usual time and place of electing their officers, exhibiting a detailed statement as far as practicable, of the amount of their expenditures, liabilities, &c.

*Resolved further*, That in case any such statements have been filed, that the Secretary be requested to furnish this House with a copy of the same."

Allow me to say that several of the Railroad Companies have made such reports to this office, and that in accordance with Section 3, Chapter 159, laws of the 9th General Assembly, I have laid all such reports before the Senate, and they are now in the hands of that body.

Very respectfully,

JAMES WRIGHT, Sec'y Senate.

February 24th, 1864.

The following communication from the Secretary of Board of Trustees of Agricultural College, was taken up and read:

OFFICE OF SECRETARY OF IOWA STATE AGRICULTURAL }  
COLLEGE, DES MOINES, February 24, 1864. }

*Hon. Jacob Butler,*

*Speaker of the House of Representatives :*

SIR: In compliance with a resolution of your honorable body, this day placed in my hands, requiring me to inform the House of Representatives, "the names, time when, the period for which each



was appointed, expires, and the Judicial District which each legally qualified member of said Board of Trustees is appointed from," I have the honor to report as follows :

From 1st Judicial District—M. W. Robinson, appointed by the Legislature, by resolution approved April 7, 1862, for four years from 15th of January, 1863; expires 14th of January, 1867.

From 3d Judicial District—John McDonough, appointed by the Legislature, by resolution approved April 7, 1862, for four years from 15th of January, 1863; expires 14th of January, 1867.

From 4th Judicial District—C. E. Whiting, elected by Board of Trustees, January 5, 1861, to fill the vacancy occasioned by the resignation of G. W. F. Sherwin, for four years; expires 14th of January, 1865.

From 5th Judicial District—Wm. Duane Wilson, appointed by the Legislature, by resolution approved April 7, 1862, for four years from 15th of January, 1863; expires 14th of January, 1867.

From 6th Judicial District—Thomas Holyoke, appointed by the Legislature, by resolution approved April 7, 1862, for four years from 15th of January, 1863; expires 14th of January, 1867.

From 7th Judicial District.—Samuel Foster, appointed by the Legislature, by resolution approved April 2, 1860, for four years from 15th of January, 1861; expires 14th of January, 1865.

From 8th Judicial District—J. A. Bronson, appointed by the Legislature, by resolution approved April 7, 1862, for four years from 15th of January, 1863; expires 14th of January, 1867.

From 9th Judicial District—Peter Melendy, appointed by the Legislature, by resolution approved April 25, 1860, for four years from 15th of January, 1861; expires 14th of January, 1865.

From 10th Judicial District—Porter L. Hinckley, appointed by joint resolution of the Legislature, April 7, 1862, for four years from 15th of January, 1863; expires 14th of January, 1867.

From 11th Judicial District—W. J. Graham, elected by Board of Trustees, January, 1861, to fill the vacancy, occasioned by the resignation of E. G. Day, for four years; expires January 14, 1865.

The Governor of the State, and the President of the State Agricultural Society, are, *ex officio*, members of the Board of Trustees.

For the 2d Judicial District there is no representation on the Board.

All which is respectfully submitted.

WM. DUANE WILSON,

Secretary Board of Trustees of Iowa State Agricultural College.

On motion, it was referred to committee on Agriculture.

Senate File No. 20, "A bill for an Act to amend Sec. 432 of the the Revision of 1860," was taken up, read and referred to committee on Judiciary.

Senate File No. 96 "A bill for an Act supplemental and amenda-

tory to chapter 58 of the Revision of 1866," was taken up, read 1st and 2d time and referred to committee on Judiciary.

Senate File No. 137, "A bill for an Act making appropriations for the payment of State and Judicial officers, interest on State Bonds and Loans, and other purposes," was taken up, and referred to committee on Ways and Means.

Mr. Magill asked for leave of absence during the remainder of the morning session. Granted.

Senate joint resolution relating to appointment of Trustees of State Agricultural College, was taken up.

Mr. Moir moved to amend the resolution by striking out the name of "Mr. Graham" and inserting the name of B. F. Gue.

Mr. Spurrier moved that the whole matter be referred to committee on Agriculture. Carried.

Senate File No. 97, "A bill for an Act requiring reports from the clerks of the several Boards of Supervisors in the State concerning School Lands," was taken up, read 1st and 2d time and referred to committee on County and Township Organization.

Mr. Bereman asked for leave of absence for Mr. Broomley. Granted.

#### BILLS READ A SECOND TIME.

Senate File No. 10, "A bill for an Act to amend Sec. 5 of Chap. 19 of the acts of the 9th General Assembly, entitled an Act fixing the salaries of certain officers," with report of committee recommending amendments, was taken up, and on motion, the report was adopted.

Mr. Oliver moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bereman, Bruce, Bromley, Buckham, Baylies, Brown, Carey, Carbee, Olark, Davis, Hale, Hixson, Helm, Horton, Holdridge, Joy, Johnson, King, Latham, Lathrop, Logan, Lindsay, Lyons, McMaken, McNutt, McCormack, Nelson, Parker, Perry, Pritchard, Runyon, Sanderson, Sears, Sturgis, Skiles, Sweet, Thompson, Van Sandt, Weare, Wolf and Mr. Speaker—41.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Campbell, Close, Day, Darby, Elliott, Fenn, Fuller, Garrett, Green, Goss, Hildreth, Jeffries, Knox, Littler, Lindley, Merriam, Maxwell, Meissner, Milla, Moir, Oliver, O'Brien, Paulk, Russell of Jones, Richards, Simpson, Stanton, Smith, Spurrier, Vinton and White—34.

Absent or not voting—Messrs. Bell, Burke, Cort, Christoph, Fry, Finkbine, Galland, Glendenning, Gilchrist, Hurst, Magill, Munsell, McCall, McKnight, Potter, Russell of Washington and Stiles.

The bill did not pass.

Mr. Moir moved that the vote just taken be reconsidered. Carried.

On motion, the House adjourned.

Two o'clock, P. M.

House met pursuant to adjournment.

The special order being the consideration of Senate File No. 95, "A bill for an Act to provide for the preliminary survey of a Ship Canal route from the State of Iowa eastward to the Illinois River," was taken up.

Mr. Magill moved to amend 2d Section by adding the following: "Provided further, That the survey contemplated by this act shall be extended so as to embrace a survey around the upper and lower rapids of the Mississippi river, and *Provided further*, That the improvement of the upper and lower rapids of said river, should as an act of justice to the whole State, be made an indispensable condition in any bill for a Ship Canal from the Lakes to the Mississippi river, which is to receive the support of the Congressional delegation from Iowa."

Mr. Gilchrist offered the following amendment to the amendment:

"*And provided further*, That in the event of the above contemplated route for a Ship Canal from LaSalle to the Mississippi river be found impracticable, that then we urge Congress that an examination shall be made of the northern route, known and designated as the Wisconsin & Fox river improvement."

Mr. Wolf moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

The following gentlemen were absent without leave:

Messrs. Holdridge and Weare.

Mr. Paulk moved that further proceedings under the call be dispensed with. Carried.

Mr. Hurst asked for leave of absence for Mr. Cary, until Monday. Granted.

The question recurring on the amendment to the amendment offered by Mr. Gilchrist, was decided in the affirmative.

Mr. Merriam offered the following: "strike out the first proviso of the amendment."

Mr. Burke moved to adjourn. Lost.

The question recurring on the amendment offered by Mr. Merriam, it was lost.

The question recurring on the amendment offered by Mr. Magill,

the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Buckham, Burke, Brown, Carbee, Darby, Davis, Fenn, Green, Gilchrist, Hildreth, Hixson, Helm, Holdridge, Joy, Lathrop, Logan, Lindsey, Lyons, Magill, Maxwell, Moir, McMaken, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Prichard, Richards, Runyon, Simpson, Sturgis, Stanton, Smith, Van Sandt, Vinton, Weare and White—41.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Baylies, Carey, Campbell, Close, Clark, Day, Elliott, Fuller, Finkbine, Garrett, Hale, Horton, Hurst, Jeffries, Johnson, King, Knox, Latham, Littler, Lindley, Merriam, Meissner, Mills, McNutt, Russell of Jones, Russell of Washington, Sanderson, Skiles, Spurrier, Sweet, Thompson, Wolf and Mr. Speaker.—37.

Absent or not voting, Messrs. Bromley, Bell, Cort, Ohristoph, Dorr, Fry, Galland, Glendenning, Gose, Munsell, McCall, Potter, Sears and Stiles.

The amendment prevailed.

Mr. Lyons moved to adjourn. Lost.

Mr. Magill moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Buckham, Burke, Brown, Carbee, Darby, Fenn, Finkbine, Green, Gose, Gilchrist, Hildreth, Hixson, Helm, Horton, Holdridge, Joy, King, Lathrop, Logan, Lindley, Lindsey, Magill, Maxwell, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Runyon, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Thomson, Van Sandt, Vinton, White and Mr. Speaker—46.

The nays were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Baylies, Carey, Campbell, Close, Clark, Day, Davis, Elliott, Fuller, Garrett, Hale, Hurst, Jeffries, Johnson, Knox, Latham, Littler, Lyons, Merriam, Meissner, Mills, Moir, McMaken, McNutt, Russell of Jones, Russell of Washington, Sweet, Weare and Wolf—35.

Absent or not voting, Messrs. Bromley, Bell, Cort, Christoph, Dorr, Fry, Galland, Glendenning, Munsell, McCall, Potter, Sears and Stiles.

The bill did not pass.

Mr. Moir moved that the vote by which the District Attorney bill was ordered to a third reading, be reconsidered. Carried.

Mr. Thomson asked for leave of absence for Mr. Skiles. Granted.

Mr. Weare moved that the vote by which Senate File No. 95, "A bill for an Act to provide for a preliminary survey of a ship-

canal route from the State of Iowa eastward to the Illinois river," was lost, be reconsidered.

Mr. Russell, of Jones, moved that the motion be laid upon the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Buckham, Carey, Campbell, Carbee, Close, Clark, Day, Davis, Elliott, Fuller, Garrett, Gose, Horton, Hurst, Jeffries, Johnson, Knox, Latham, Littler, Lindley, Merriam, Meissner, Mills, Moir, McMaken, McNutt, Russell of Jones, Russell of Washington, Skiles and Wolf—31.

The nays were Messrs. Andrews of Decatur, Baylies, Burke, Brown, Darby, Fenn, Finkbine, Green, Gilchrist, Hale, Hildreth, Hixson, Helm, Holdridge, Joy, King, Lathrop, Logan, Lindsay, Lyons, Magill, Maxwell, McCormack, McKnight, Nelson, Oliver, O'Brien, Perry, Pritchard, Richards, Runyon, Parker, Paulk, Sanderson, Simpson, Sturgis, Stanton, Smith, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, White and Mr. Speaker—48.

Absent or not voting, Messrs. Bromley, Bell, Cort, Christoph, Dorr, Fry, Galland, Glendenning, Munsell, McCall, Potter, Sears and Stiles.

The motion did not prevail.

Mr. Campbell moved to adjourn. Lost.

The question recurring on the motion to reconsider, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Buckham, Baylies, Burke, Brown, Carey, Darby, Fenn, Finkbine, Green, Gilchrist, Hildreth, Hixson, Holdridge, King, Lathrop, Logan, Lindsey, Lyons, Magill, Maxwell, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Runyon, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, White and Mr. Speaker—46.

The nays were Messrs. Andrews of Decatur, Bereman, Bruce, Campbell, Carbee, Close, Clark, Day, Davis, Elliott, Fuller, Garrett, Gose, Horton, Hurst, Jeffries, Joy, Johnson, Knox, Latham, Littler, Lindley, Merriam, Meissner, Mills, Moir, McMaken, McNutt, Russell of Jones, Russell of Washington, and Wolf—31.

Absent or not voting, Messrs. Bromley, Bell, Cort, Christoph, Dorr, Fry, Galland, Glendenning, Hale, Helm, Munsell, McCall, Potter, Sears and Stiles.

The motion prevailed.

Mr. Richards moved that the vote by which the bill was ordered to a third reading, be reconsidered. Carried.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
FRIDAY, February 26th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Nash.

Journal of yesterday read and approved.

#### PETITIONS AND REMONSTRANCES.

Mr. Holdridge presented the petition of Geo. Warne and 141 others, of Buchanan county, asking that the name of Buchanan county may be changed to something honorable. Referred to committee on County and Township Organization.

Also, a remonstrance of R. Campbell and 111 others, against changing the name of Buchanan county. Referred to same committee.

Mr. Bromley presented the remonstrance of A. S. Wells, and others, of Jefferson county, remonstrating against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Lindsey presented a petition of Daniel Smith and others, of Warren county, in favor of the present Prohibitory Liquor Law. Referred to committee on Intemperance.

#### REPORTS OF COMMITTEES.

The committee on Constitutional Amendments, to whom was referred House File No. 107, "A bill to amend Sections 2 and 3 of Article 3, of the Constitution of the State of Iowa," have had the same under consideration, and a majority of said committee have instructed me to report the same back with the recommendation that it do not pass.

W. P. WOLF, Chairman.  
T. S. BUCKHAM,  
J. N. H. CAMPBELL,  
J. P. CARBEE.

I am instructed by the majority of the committee of Ways and Means, to report back to this House the substitute for Senate File No. 89, "A bill for an Act to prohibit the circulation of foreign bank notes in this State, and recommend *that it do not pass.*"

W. J. GILCHRIST, Chairman.

I am instructed by the committee of Ways and Means, to report back to this House, Senate File No. 137, "A bill for an Act making appropriations for the payment of State and Judicial Officers, interest on State Bonds, and loans, and for other purposes," with the following amendment in Sec. 2, second line, instead of the words "a Clerk," the words, "the Private Secretary," and recommend the same do pass.

W. J. GILCHRIST, Chairman.

Mr. Gilchrist moved that the rule be suspended, the bill be read a third time, and put upon its passage. Lost.

The undersigned members of the committee on Ways and Means to whom was referred Senate Substitute for Senate File No. 89, entitled "An Act to prohibit the circulation of foreign bank notes in this State," beg leave to dissent from the report of the majority of said committee on that bill. We believe that the provisions of said bill are just, wise and well calculated to advance the best interests of the people of this State, and we therefore recommend that said bill do pass.

A. H. BEREMAN,  
SAMUEL McNUTT,  
N. LITTLER,  
A. RUNYON.

MR. SPEAKER:—The Joint Committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 25 and 162, also House File Nos. 5 and 109, and resolution endorsing the policy of paying and protecting African soldiers the same as others in the United States service, find the same correctly enrolled and present them for your signature.

ALEX. RUNYON, Chairman.

MR. SPEAKER:—The Joint Committee on Enrolled Bills have presented to his Excellency the Governor, for his approval, House File No. 18 and 25, also resolutions, distributing Adg't. General's Reports, printing 1000 additional copies of Insane Hospital Report, and giving preference to disabled soldiers in employment of Federal Government.

ALEX. RUNYON, Chairman.

The Special Committee to whom was referred House File No. 31, "A bill for an Act to prohibit profanity and obscenity," with instructions to report a substitute therefor, having had the same under consideration, have instructed me to report the accompanying substitute for said bill, and recommend its passage.

LITTLER, Chairman.

The undersigned, a select committee of two on the part of the House, and two on the part of the Senate, together with the Treasurer and Auditor of State, on whom was devolved the duty to examine and destroy all the blank and unsold and useless bonds of the State of Iowa in the hands of the Auditor of State, have performed that duty, and ask leave to report:

The committee found that of the War and Defense Bonds provided for by the act of the extra session of 1861, the Auditor had received of the denomination of one thousand (1000) dollars, six hun-

dred and thirteen bonds.....613  
 Of these negotiated and sold, two hundred and fifty-five..255  
 Destroyed by the committee, three hundred and fifty-eight.358 613

Of the denomination of five hundred (500) dollars, the Auditor  
 had received four hundred and ten bonds.....410  
 Negotiated and sold fifty one..... 51  
 Destroyed by the committee, three hundred and fifty-nine.359 410

Of the denomination of one hundred (100) dollars, the Auditor  
 had received two thousand and ten bonds.....2010  
 Negotiated and sold, one hundred and ninety-five..... 195  
 Destroyed by the committee, eighteen hundred and fifteen1815 2010

The committee also found in the hands of the Auditor of the loan  
 of 1847, eight blank bonds of the denomination of one thousand  
 (1000) each, and destroyed them.

Of the loan of 1858, there remained in the Auditor's hands five  
 (5) blank bonds of the denomination of one thousand (1000) dollars  
 each, and of the same loan of filled up and signed but cancelled  
 bonds there were six (6), also of the denomination of one thousand  
 (1000) dollars each, all of which were destroyed by the committee.

Respectfully submitted.

ADDISON OLIVER,

B. B. RICHARDS,

Committee on part of the House.

JOHN G. FOOTE,

E. CLARK,

Committee on part of the Senate.

J. W. CATTELL,

Auditor of State.

W. H. HOLMES,

Treasurer of State.

Report accepted and committee discharged.

#### RESOLUTIONS LAID OVER UNDER RULE.

The resolution of Mr. Finkbine, relative to soldiers not mustered  
 into service, was taken up.

Mr. Russell of Washington, moved to amend by inserting after  
 the word "rejected," the words "United States mustering officers."  
 Carried.

On motion, the resolution was adopted.

#### INTRODUCTION OF BILLS.

Mr. Wolf introduced House File No. 131, "A bill for an Act to  
 regulate the receiving and shipment of freight by Railroad Compa-



nies, and the posting of Tariffs of charges." Read a 1st and 2d time and referred to committee on Railroads.

Mr. Runyon, by leave, called up House File No. 116, "A bill for an Act for the transfer of Real Estate, to regulate the assessment thereof, and facilitate the collection of Revenue," and moved to refer to committee on Ways and Means. Carried.

Mr. Bereman moved that the Senate resolution relative to adjournment, be taken up. Lost.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed Senate File No. 93, "A bill for an Act to amend Sec. 711 of the Revision of 1860, in relation to exemption of property from taxation.

I am also directed to return herewith House Substitute for Senate File No. 5, "A bill for an Act to provide for the payment of taxes and the interest and principal of the School Fund in Treasury Notes issued as legal tender by authority of the Government of the United States, and notes of National Banks, the same having passed the Senate with the following amendment, to-wit:

Add to 1st Sec., "And the notes now issued or to be hereafter issued by the several branches of the State Bank of Iowa, provided that the said Treasurers shall not receive the notes of the said branches of the State Bank or of any of them at any time after any one of said branches shall fail to redeem its issues."

And add to third line of Sec. 2, after the word "banks," as follows: "And the amount received in notes of the Branches of the State Bank of Iowa."

In which the concurrence of the House is respectfully asked.

I am also directed to return the following bills, the same having passed the Senate without amendment:

House File No. 35, "A bill for an Act providing for canvassing the votes for Senators and Representatives in the General Assembly, elected by districts composed of more than one county.

House File No. 60, "A bill for an Act to extend the provisions of Article 4, Chap. 54, of the revision of 1860, so as to apply to the construction of mill races.

WM. F. DAVIS, Secretary Senate.

#### BILLS AND RESOLUTIONS READ SECOND TIME.

Mr. McNutt called up Senate File No. 137, "A bill for an Act making appropriations for the payment of State and Judicial Officers, interest on State Bonds and Loans, and for other purposes," and moved that the amendment offered by the committee of Ways and Means, be adopted. Lost.

Mr. Oliver moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Brown, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—79.

The nays were Russell of Washington—1.

Absent or not voting, Messrs. Bell, Burke, Carey, Cort, Christoph, Dorr, Fry, Galland, Munsell, Potter, Stiles and Stanton.

The bill passed and the title was agreed to.

Mr. Magill moved that Senate File No 95, "A bill for an Act for the preliminary survey of a Ship Canal route from the State of Iowa eastward to the Illinois river," be recommitted to special committee. Carried.

Senate File No. 10, "A bill for an Act to amend Sec. 5 of Chap. 19 of the acts of the 9th General Assembly entitled 'An Act fixing the salaries of certain officers,'" was taken up.

Mr. McMaken moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bereman, Bruce, Bromley, Baylies, Brown, Carbee, Clark, Darby, Davis, Elliott, Fenn, Finkbine, Glendenning, Green, Hale, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, King, Latham, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Moir, McMaken, McNutt, McCormack, Nelson, Oliver, Parker, Perry, Pritchard, Russell of Washington, Richards, Runyon, Sanderson, Sears, Sturgis, Skiles, Spurrier, Sweet, Thomson, Van Sandt, Vinton, Weare, Wolf, and Mr. Speaker—54.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Buckham, Campbell, Close, Day, Fuller, Garrett, Gose, Gilchrist, Hildreth, Hurst, Knox, Littler, Lindley, Maxwell, Meissner, Mills, McCall, McKnight, O'Brien, Paulk, Russell of Jones, Simpson, Smith and White—26.

Absent or not voting, Messrs. Bell, Burke, Carey, Cort, Christoph, Dorr, Fry, Galland, Munsell, Potter, Stiles and Stanton.

The bill passed, and the title was agreed to.

On motion, House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Senate File No. 159, "A bill for an Act supplemental to an act passed at the present session, entitled an act to provide for reporting, publishing and distributing the decisions of the Supreme Court of this State," was taken up.

Mr. Bereman moved that the bill be read a third time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bromley, Buckham, Baylies, Burke, Brown, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Gilchrist, Hildreth, Helm, Horton, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Littler, Lindsay, Lyons, Merriam, Maxwell, Meissner, Mills, Moir, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Smith, Skiles, Spurrier, Sweet, Van Sandt, Vinton, Wear, Wolf, White and Mr. Speaker—68.

The nays were none.

Absent or not voting, Messrs. Bruce, Bell, Carey, Cort, Christoph, Dorr, Elliott, Fenn, Fry, Galland, Hale, Hixson, Hurst, Holdridge, Logan, Lindley, Magill, Munsell, McMaken, O'Brien, Potter, Stiles, Stanton and Thompson.

The bill passed and the title was agreed to.

House File No. 113, "A bill for an Act to amend Chap. 102, of the Acts of the Regular Session of the 9th General Assembly, in reference to estrays," was taken up.

On motion of Mr. Lindsey, the bill was recommitted to committee on Agriculture.

House File No. 77, "A bill for an Act to prohibit certain stock from running at large," was taken up, with substitute bill presented by the committee.

On motion, the substitute was adopted.

Mr. Davis offered the following amendment, which was lost:

*And be it further enacted*, That swine shall not at any time be allowed to run at large; and it shall be lawful for any person aggrieved thereby to give immediate notice thereof to the owner, or agent, if known, and said owner or agent shall immediately upon notice, distrain such animals, and shall be liable for all damage to the person aggrieved.

*And be it further enacted*, That if the owner of any swine, or his agent, after being notified, shall neglect or refuse to restrain such stock; or when the owner is not known, or when notice cannot be

given in consequence of his absence, then the person agrieved may take up any such animals and treat them in all respects as estrays, anything in the estray laws to the contrary notwithstanding.

Mr. Jeffries moved that the vote just taken, be reconsidered.  
Lost.

Mr. Bereman moved that all after the enacting clause be stricken out, and the following inserted:

Sec. 1. The Board of Supervisors of each county in this State shall submit to the people of their county, at the next regular election, the question whether stock shall be permitted to run at large, or at what time of the year, or day, it shall be prohibited; and what kind of stock shall be so prohibited from running at large; and the manner and effect of such submission shall be the same as is provided for submitting other questions to the people, as provided in Chapter twenty-two (22) of the revision.

Sec. 2. Any stock found running at large in any county in this State, at any time when it is prohibited therein, shall be held to be estrays, and may be taken up and treated in all respects as estrays.

Sec. 3. When any stock, running at large at a time when it is prohibited, shall commit any damage, the owner thereof shall be liable to the person damaged in triple damages, to be recovered in any court having jurisdiction thereof.

Sec. 4. Section two hundred and eighty-seven (287) of the revision of 1860, is hereby repealed.

Mr. Gose moved the previous question, which was not seconded.

The question recurring on the motion of Mr. Bereman, to strike out and insert, the question was divided, and on the question to strike out, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bereman, Bruce, Buckham, Baylies, Burke, Brown, Campbell, Carbee, Clark, Day, Elliott, Finkine, Garrett, Glendenning, Green, Gose, Hale, Horton, Hurst, Joy, Johnson, Knox, Latham, Lathrop, Logan, Lindsey, Maxwell, Meissner, McMaken, McCormack, Nelson, Oliver, Paulk, Richards, Sears, Simpson, Smith, Spurrier, Sweet, Weare and Mr. Speaker—41.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Close, Darby, Davis, Fuller, Hildreth, Hixson, Helm, Holdridge, Jeffries, King, Littler, Lindley, Lyons, Merriam, Mills, Moir, McNutt, McKnight, O'Brien, Parker, Perry, Pritchard, Russell of Jones, Russell of Washington, Rnyon, Sanderson, Sturgis, Skiles, Thompson, Van Sandt, Vinton, Wolf and White—36.

Absent or not voting, Messrs. Bell, Carey, Cort, Christoph, Dorr, Fenn, Fry, Galland, Gilchrist, Magill Munsell, McCall, Potter, Stiles and Stanton.

The motion prevailed.

The question recurring on the motion to insert as proposed by Mr. Bereman, Mr. Vinton offered the following amendment to the

substitute: "Strike out the word 'any' in the first line, and insert the word 'each,' and strike out the word 'may' in the second line, and insert the word 'shall,' so as to read as follows: The Board of Supervisors of each county in this State shall submit to the people of their county," &c. Carried.

Mr. Russell, of Washington, moved to amend by striking out the words "or at a special one called for that purpose." Carried.

Mr. Close moved to recommit the bill to committee on Agriculture. Lost.

Mr. Sears moved to amend by inserting, after the word "election," the words, "or at any subsequent election, on the petition of one-fourth of the legal voters of their county."

Mr. Russell, of Washington, moved to adjourn. Lost.

Mr. Finkbine moved that the whole matter be recommitted to committee on Agriculture. Lost.

Mr. Thomson moved to amend by striking out the words, "one-fourth of the voters," and inserting the words, "100 voters."

Mr. Finkbine moved that the whole subject lie on the table; on which the yeas and nays were demanded, and ordered, resulting as follows:

The yeas were Messrs. Buckham, Brown, Close, Fenn, Garrett, Horton, Hurst, Joy, Knox, Latham, Merriam, Meissner, Mills, Moir, McNutt, McCormack, Nelson, Oliver, Perry, Russell of Washington, Skiles, Spurrier, and Weare—23.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Baylies, Burke, Campbell, Carbee, Clark, Day, Darby, Davis, Elliott, Fuller, Finkbine, Glendenning, Green, Gose, Hale, Hildreth, Hixson, Helm, Holdridge, Jeffries, Johnson, King, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Maxwell, McMaken, McKnight, O'Brien, Parker, Paulk, Pritchard, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Smith, Sweet, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—55.

Absent or not voting—Messrs. Bell, Carey, Cort, Christoph, Dorr, Fry, Galland, Gilchrist, Magill, Munsell, McCall, Potter, Stiles and Stanton.

The motion did not prevail.

Mr. Finkbine moved to recommit the whole matter to committee on Agriculture. Lost.

Mr. McMaken moved to adjourn. Lost.

The question recurring on the motion of Mr. Thomson, it was decided in the negative.

Mr. Richards moved to amend the amendment of Mr. Sears, as follows: After the words "next regular election," insert "at their option, at any succeeding regular election, the question."

Mr. Holdridge moved to refer the whole matter to committee on County and Township Organization. Lost.

Mr. Russell, of Jones, moved that the whole matter be referred to a select committee of three. Carried.

The Speaker appointed as such committee, Messrs. Russell of Jones, Thomson and Bereman.

Mr. Finkbine moved that the vote by which Senate File No. 137, "A Bill for an Act making appropriations for the payment of State and Judicial officers," &c., was passed, be reconsidered. Carried.

Mr. Finkbine moved that the vote by which the bill was ordered to third reading be reconsidered. Carried.

Mr. Merriam moved that the vote by which the amendment to the bill was lost, be reconsidered. Carried.

Mr. Merriam moved that the amendment be adopted. Carried.

Mr. Merriam moved that the bill as amended be read a third time by its title and put upon its passage. Carried.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Burke, Brown, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Maxwell, Meissner, Mills, McMaken, McNutt, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Wolf and Mr. Speaker.—71.

The nays were Messrs. Hildreth, Moir, McCormack, Pritchard, Russell of Washington, Vinton, Weare and White—8.

Absent or not voting, Messrs. Bell, Carey, Cort, Christoph, Fry, Galland, Gilchrist, Magill, Munsell, McCall, Potter, Stiles and Stanton.

The bill passed and the title was agreed to.

On motion the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
SATURDAY, February 27th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Nash.

Journal of yesterday read and approved.

#### PETITIONS AND REMONSTRANCES.

Mr. Latham presented the preamble and resolutions of a public

meeting held in Van Buren County relative to the Liquor Law. Referred to committee on Intemperance.

Mr. Simpson presented the claim of C. & L. Harbach for one hair cloth chair. Referred to committee on Claims.

Mr. Hixson presented the petition of Geo. Whalen and 83 other citizens of Marshall County, asking that the Orphan Asylum may be located at Marshaltown. Referred to committee on Charitable Institutions.

Mr. Weare presented the petition of Thos. B. McMurray and others, of Linn County, praying that the School Law may be amended, increasing the duties and compensation of County Superintendent. Referred to committee on Schools and Universities.

#### REPORTS OF COMMITTEES.

I am instructed by committee of Ways and Means to report back to this House Senate File No. 123, "A bill for an Act authorizing the transmission of funds to pay interest on State Bonds," and recommend that the bill do pass.

I am also instructed to report back House File No. 128, "A bill for an Act to amend Sec. 8, Chap. 173 of the acts of the regular session of the 9th General Assembly," and recommend its passage.

W. J. GILCHRIST, Chairman.

I am instructed by the majority of the committee of Ways and Means to report back to this House the petition of various persons, for various wants contained in this document, which they recommend to be relieved. I am compelled to dissent from the report of the majority of the committee, believing that the House cannot afford relief.

W. J. GILCHRIST, Chairman.

Mr. Oliver moved that the report of the committee and the petition, be laid on the table. Carried.

Mr. Russell of Jones, from joint committee to visit College Farm, presented the following report, which, on motion, was read and referred to committee on Agriculture:

The undersigned members of the Joint Committee appointed to visit the College Farm and examine into the condition of affairs connected with the Institution, and estimate the cost of a suitable building, have performed that duty and respectfully submit the following report:

We visited the Farm on the 27th of January, and found the

#### LOCATION

As follows: On a direct line twenty-nine miles due north of the City of Des Moines, in Story County, nine miles west of Nevada, the county seat, and on the direct public road leading from Nevada

to Boonsboro. The Farm lies two and one-fourth miles west of Skunk river, the centre of the Farm, near where the buildings are erected, being a little more than three miles from the nearest point on Skunk river. The west line of the Farm is two and one half miles east of the Boone County line. The Cedar Rapids & Missouri Railroad is now being built directly through the Farm, coming into it on the east side, about ninety rods north of the south line, and running diagonally through it, bearing north-west and leaving it on the north line within about thirty rods of the north-west corner—dividing the Farm so as to leave about 160 acres on the north and about 488 acres on the south side of the Railroad. The Farm is well supplied with

#### WATER AND TIMBER.

Squaw Creek, a fine stream, comes into the Farm on the north; meanders through near the east line, the whole length affording an inexhaustible supply of pure water for stock. The banks of the stream are low, and densely covered with heavy timber on both sides. The timber is principally black walnut, oak, elm, white maple, linn, cottonwood, ash, hickory and numerous other valuable varieties. We were informed by the Trustees that upon a careful examination they have found upwards of *fifty* different varieties of timber, bushes and shrubbery growing on the Farm, and from the examination we were able to make, we are satisfied that their estimate is not too high. There is another fine stream of pure water called "Clear Creek," running through the north-west corner of the Farm, the banks of which are high and broken bluffs, covered with a large and magnificent growth of white oak, black walnut, red oak, white walnut and sugar maple timber. From the best information we could obtain from our own estimates and other reliable sources, we are satisfied that there is on the College Farm not less than one hundred and fifty acres of valuable heavy timber, embracing nearly every variety growing natural in the State. Near the centre of the farm and about twenty rods east of the barn yard, are several fine springs, affording a good supply of stock water, which we were informed by old settlers in the vicinity, never froze over. Near the south-west corner of the Farm is a fine pond of water, which affords a good supply ten months out of the twelve in the driest seasons.

After a careful examination, we are enabled to present to the General Assembly the following

#### DESCRIPTION OF THE FARM.

The farm contains six hundred and forty-eight acres lying in a body, being about 400 rods long from east to west, and about 269 rods wide from north to south. After deducting the one hundred and fifty acres of timber above described, there remain 498 acres of prairie land suitable for grass and grain. There is probably not far



from 180 acres of low bottom land, about one hundred of which is covered with timber, the remainder is about equally divided between wet and dry bottom.

The low land in the timber is a rich, deep black sandy loam, with clay subsoil, but not inclined to hold water on the surface. Next west adjoining the timber is a fine, smooth, level tract of low land, remarkably well adapted for grass, but could by a judicious system of drainage be converted into the most productive corn land, not excelled in the west. Beyond this to the north-west is a large tract known in this State as second bottom land, being level, dry and very rich and remarkably productive for almost every crop grown in this latitude. The soil is a mixture of black sand, fine gravel and rich black alluvian and prairie soil proper; comprising perhaps the most desirable soil known to the agriculturalist. A part of this land was sowed with wheat last season, and produced, as we are informed, about 20 bushels to the acre of *first quality*, as we ascertained by examination. West of this is a large tract of level prairie, the soil being dry, slightly intermixed with fine gravel in places, with clay subsoil, being a fair representative of the prevailing prairie soil in the State. On the north-west corner of the farm is a tract of perhaps 40 acres of clay soil, most of which is covered with a heavy growth of oak, walnut and hickory timber. Though called clay soil, this land is a fair specimen of what is known in this State as "barrens" and "timber land." The soil is a mixture of prairie and clay, with heavy clay subsoil, and is considered the best wheat and fruit land in the western States. On the south side of the farm is about 90 acres of high rolling prairie, intermixed with gravel, and well adapted for almost any grain crop raised in the West, being warm and dry, the ravines which intersect it carrying off all surplus water in the wettest seasons. The gravel contained in the soil is mostly on the surface, and is turned under by the first plowing—nearly disappearing after cultivation. We found fine sand and gravel banks on the farm, furnishing an inexhaustible supply for building purposes and for grading roads, walks and yards.

There is also on the farm good clay for brick making, convenient to where the College will probably be erected.

#### THE IMPROVEMENTS

Consist of a good, substantial brick farm house, with a basement of stone, making a cellar under the whole building. The house is nearly completed, the mortar being mixed ready for plastering the inside walls and partitions in the Spring; and when finished will cost about three thousand dollars. The bricks were manufactured on the farm. There is also a good barn on the place, well finished and painted, of good height, and is 42 feet by 60 in size, capable of providing storage room for the grain, and shelter for the necessary

teams and stock connected with the farm. There is a good stone basement under the barn, and a large yard inclosed by a substantial fence.

A great portion of the material and work used in the erection of these buildings, was furnished in payment of voluntary subscriptions, by citizens in the vicinity.

There is about 220 acres of the farm inclosed by a substantial fence, a part of which is built of boards and posts, five boards high, and the remainder of rails, staked and ridged, eight rails high. The fences are built of good material, and are put up in a very substantial manner. Of the land inclosed, about 148 acres are under cultivation, and had crops on, the past season.

There is a fine young orchard of about 400 thrifty trees, near the house, inclosed by a good fence, which has protected it from damage by cattle; and this little experiment has satisfied the people in the vicinity that the prevalent opinion that fruit cannot be raised upon our *open prairies* is entirely erroneous. They witnessed fine apples growing upon many of these trees, which had been planted out but *three years* before, on the *level, open prairie*. They see that to be successful only requires ordinary care; such as they would bestow upon a corn crop, and they are profiting by this demonstration placed before their eyes, as we observed that nearly every farmer in the vicinity has begun to plant an orchard. These trees on the farm were donated to the Trustees by Mr. Smith, the well known nurseryman of Des Moines.

A well has been dug near the house, affording a good supply of pure water, at a depth of about 30 feet.

About 75 grape vines have been planted near the orchard, of several different varieties, among which are the Concord, Clinton, Isabella and Catawba. They appeared to flourish well, making a fine growth and producing some fruit.

#### BUILDING MATERIAL

for the erection of a College can be found in abundance on the farm and in the immediate vicinity. All of the necessary timber for frame-work can be taken from the farm without injury to the place. The necessary wood to burn the brick can be procured from down timber which is fast going to waste, and the best kind of clay and sand for the manufacture of the brick, are found in abundance on the farm. Stone for the basement can be had within three and one-half miles, and lime within six miles of the place. Pine lumber and shingles can be obtained by means of the railroad, which is now being built directly through the farm.

There are several saw-mills in the immediate vicinity of the timber lands, both steam and water mills, capable of supplying any reasonable demand for lumber.

## THE LANDS DONATED IN STORY COUNTY

lie on an average within two miles of the College Farm, and within one and one-half miles of the railroad. They consist of two 80-acre tracts, five of 40 acres, and four of 20 acres each, of good prairie land; three 10-acre lots of timber, and one lot of 32 acres of timber; making 440 acres of prairie and 62 acres of timber. There are also 200 acres of land in Boone county, consisting of five lots, varying in size from 20 to 80 acres each, and lying on an average, within two and one-half miles of the line of railroad, and within about seven miles of the farm. The lands thus donated to the college amount to 640 acres of prairie, estimated to be worth \$4.00 per acre, making \$2,560. The timber lands, 620 acres, are estimated to be worth \$14.00 per acre, making \$868.00—total, \$3,428.00. There is also one acre of land, donated to the farm, and within one mile of it, containing a good stone quarry, besides about 20 lots in New Philadelphia, a new town on the line of the railroad, and about two miles from the farm, which will probably be the nearest railroad station.

Sections 9 and 10 of the organic act providing for the purchase of the College Farm, require that the trustees shall purchase suitable lands, not less than 640 acres, for the use of the College and Experimental Farm; and that they shall take into consideration the price, location, *quality* and *variety* of soil, advantages of water, timber, stone, &c.

Your committee, after a thorough examination, are of the opinion that it would have been difficult for the trustees to have made a selection more fully complying with the requirements of the law, than the one purchased. It has upon it at least six different varieties of soil, representing the prevailing kinds in the State; it has more than 50 varieties of timber, bushes and shrubs, and running water, spring and well water in abundance; plenty of gravel, sand, stone, and material for brick; high dry land, level dry land, rolling clay, second bottom, sloughs, flat wet bottom, and timber bottom, besides the genuine prairie land.

We know of no other farm of the size in the State combining so many leading characteristics of Iowa land, and though we went to the farm with some feelings of prejudice against the location, we came away fully impressed with the belief that it answers the requirements of the law as completely as any selection that could have been made. We are satisfied that the main object had in view by the framers of the organic law was, that the experimental farm should combine as many leading characteristics of the lands of our State as possible to be found in one farm, that all of the different varieties might be thoroughly tested, with the various grains and grasses, vegetables and fruits, and the final results might add to the experimental knowledge of the cultivators of the soil. We deem it our duty to make a brief review of the

## HISTORY OF THE COLLEGE AND FARM,

and of what has been done by the Legislature and Trustees to carry into effect the requirements of the organic law.

At the session of the Legislature of 1858 an act was passed, providing for the establishment of a State Agricultural College and Farm, with a Board of Trustees, which shall be connected with the *entire* agricultural interests of the State."

Section 2 of the act provides that the College and Farm shall be under the management of a Board of eleven Trustees, and the Governor and President of the State Agricultural Society shall be ex-officio members. It also provides that one trustee shall be chosen from each judicial district in the State from persons nominated by the county agricultural societies, thus securing men for this high position who are identified with the great interest they are to represent, and wisely guarding against the danger of allowing this important institution, intended for the benefit of the industrial interests of the State, from being diverted from its noble purpose to build up some favored city or village, and convert what was designed for the benefit of the great agricultural and mechanical interests of the entire State, into a mere *local* school for the benefit of only those who are fortunate enough to live in the immediate vicinity.

The trustees, wisely foreseeing that an institution of this kind to be successful in carrying out fully the intention of the Legislature, must be located in the country, away from the attractions, vices and contaminations of a city, purchased what is known as the "College Farm," in Story county, a central position, which will soon be accessible from all parts of the State. The farm, which we have fully described in another part of this report, was purchased at a cost of \$5,379.12. In consideration of having the college located at that place, the citizens of Story and Boone counties made liberal donations of lands and money, labor and material, to the amount of about \$7,000, to assist in improving the farm and erecting the necessary farm buildings.

The county of Story issued bonds to the amount of \$10,000, for the benefit of the College, bearing interest at 7 per cent. There is also appropriated the proceeds of the sales of five sections of land (heretofore granted to the State for the erection of capital buildings in Jasper county) for the use and benefit of the college. Congress has, by an act since passed, diverted this grant of lands to the college, and a portion of them have been sold by the trustees. The estimated value of these lands is about \$14,000.

Soon after the passage of the organic law providing for an Agricultural College the great financial crash came, suspending almost all improvements, ruining thousands of the business men in the country, and reducing the State revenue so much as to render it ne-

cessary to make a large loan for the purpose of meeting the ordinary expenses of the State government. In view of this state of affairs, while other public institutions of the State were demanding and receiving large appropriations, the friends of the college waited patiently for better times, before calling upon the State for the necessary means for the erection of a college building. Before the country had fully recovered from the effects of the financial difficulties the great rebellion broke out, engrossing the entire attention of the loyal States, and requiring heavy and extraordinary appropriations from our State to place our quota of volunteers in the field.

During all this time the friends of the Agricultural College had not been idle. Knowing that in order to carry out faithfully the purpose in view, of providing an institution in which the sons of the working men could acquire a thorough practical education suited to the profession they were to follow through life, at so small an expense that the poorest would not be excluded for want of means, the friends of the college acting with others in different States, made earnest, and finally successful efforts, to influence Congress to make a grant of lands for the future endowment of these institutions. The lands thus granted to our State amounted to 240,000 acres; nearly all of which have been selected in the north-western part of the State. This grant was made upon the express condition that the States accepting it should within five years from the approval of the act, "provide at least one college, where the *leading object* shall be, (without excluding other scientific and classical studies, and including military tactics,) *to teach such branches of learning as are related to agriculture and the mechanic arts.*"

Section 2d of the act of Congress expressly provides that no portion of the fund arising from the sale of these lands, or the interest thereon, shall be applied directly or indirectly to the purchase, erection or repair of any building or buildings. Thus it will be observed that the entire fund shall be invested and used for no other purpose than for the future endowment of the college, excepting that ten per cent. of the proceeds may be expended in procuring a suitable farm to carry on the manual labor department.

This land is mostly prairie, destitute of timber, far from market, and could only be sold at the present time at a very low price and at a great sacrifice. Good policy and the future interests of the college require that no more of the land should be now offered for sale than is absolutely required to meet the necessary expenses of the institution, which can not be otherwise provided for.

It now remains for the State to decide by the action of the present Legislature whether we shall carry out, in good faith to the citizens of our own State, and the general government that made this most munificent grant, the noble and worthy purpose contemplated by the law.

If with a full sense of the great obligation resting upon them, and

a realization of the important trust committed to their care, this Legislature shall, honestly and faithfully perform their duty, they will be entitled to the lasting gratitude of the sons of the working-men of the State for all time to come.

Your committee have found it very difficult to arrive at any definite conclusion in regard to the cost of a suitable building for a college. We find that an estimate has been made by an experienced Architect employed by the Trustees. The plan proposed is to erect a building that will accommodate one hundred students, the President and professors, with lecture and recitation rooms, laboratory, kitchen, dining and all other rooms necessary for a college and house for all connected with the institution. The building to be three stories high, and 42 feet by 150 feet; the basement to be built of stone, and the superstructure of brick. The estimated cost of such a building, fully completed ready for occupation, is \$50,000.

The Trustees estimate that they have in money, lands donated, and bonds, an amount sufficient to furnish the college, provide the necessary apparatus, stock the farm with improved breeds of animals, the out-buildings, farming utensils, machinery, &c., suitable to make a satisfactory commencement.

It is thought that \$30,000 would erect the out-walls of the building and inclose it, and if the Legislature should not think best to provide a sufficient appropriation at this session for its completion, the above mentioned amount could be used to advantage, in carrying on the work; and the friends of the institution believe the next Legislature would furnish the sum necessary to complete and put the college in operation within the time required by the act of Congress making the grant.

The proposition has been made by the friends of the State University, to take charge of the Agricultural College, and attach a department to the University, in which shall be taught such branches as relate to agriculture and the mechanic arts, provided a large portion of the land grant be diverted to the use and benefit of the University. We regard this proposition as so manifestly unjust and dangerous, that we feel it our duty to refer to some of the difficulties in the way of such an attempted union of the two institutions. The University is intended to be a higher grade school than any other in the State, in which students from the various seminaries, academies and colleges may enter, and complete an education in the highest branches taught, affording facilities and advantages that no other educational institution in the State possesses. The object is a noble one, worthy of our great State, and we trust that the purpose will be fully carried out, without endangering its success by "any entangling alliances." The State and General Government have dealt most liberally with it, affording it support and aid, in lands, buildings and money, to the amount of more than \$330,000.

The Agricultural College was projected for a very different pur-

pose, and is intended to be conducted on an entirely different plan. The want of a high school or college for the sons of working men, where they could, at a trifling expense, acquire a thorough practical education, adapted to the industrial pursuits they desire to follow through life, has been long felt and earnestly desired. It is evident to every one who has examined the subject that this institution, to be successful, must be entirely independent of ordinary colleges and universities where theories are taught, without practical illustrations. The organic act provides that all students admitted into the college "shall labor not less than *two hours per day* in winter and *three hours* in the summer season." The object of this provision is, no doubt, to place all students on a perfect equality as far as manual labor is concerned, that there may be no distinction between the sons of rich or poor—that the student who may be compelled to labor to pay his way may not feel that he is submitting to a work of drudgery, but is only complying with the rules of the college, wisely provided for the benefit of all, in giving them the advantage of every day practice to test the truth or error of the new theories they are learning. Does any reflecting person believe that these most important provisions of the system of agricultural education can be connected with the State University, located in the heart of a populous city, where no experimental farm can be connected with it, with no suitable boarding house where young boys can be under the care and control of a suitable person who would look to their welfare? They would be turned loose after school hours, to all the enticements, vices, and corrupting influences of a city. They must find boarding places among the inhabitants of the town, where their labor cannot be employed to defray expenses; a department thus conducted can derive none of the benefits contemplated by the friends of the Agricultural College, in providing an industrial school in accordance with the act of our own Legislature, and the law of Congress making the munificent land grant, to enable the plans of the college to be faithfully and honestly carried out.

We are satisfied that any such attempt at consolidation would result in endless strife, quarrels, jealousy, and confusion, and would go far towards destroying the usefulness of both. We believe it to be the duty of the Legislature to encourage and sustain both of these valuable institutions by judicious and liberal assistance, while both are left free to stand or fall on their own merits.

All of which is respectfully submitted.

[Signed]

B. F. GUE,  
JOHN RUSSELL,  
CHARLES PAULK.

Mr. Magill, from committee on Railroads, to whom was referred a "joint resolution recommending certain changes in the Act of Congress, approved July 1st, 1862, establishing a Pacific Railroad

and branches," reported the same back to the House, and recommended the following amendments to the first resolution :

After the words, "Senators in Congress be," strike out the word "requested," and insert the word "instructed;" and after the word "Representatives," strike out the word "instructed," and insert the word "requested."

The report of the committee was adopted.

Mr. Finkbine moved to strike out the word "unnecessary." Lost.

On motion, the resolution, as amended, was concurred in.

Mr. Finkbine, from committee on Charitable Institutions, by leave, reported back House File No. 22, "A bill for an Act making a further appropriation for the Asylum for the Blind," and recommended that the same pass, with the following amendments:

Amend the 7th line of Sec. 1, by inserting after the word "houses" the words, "and wall." Amend Sec. 3, in the 4th line, by inserting, at the end thereof, the words, "Iowa Homestead;" and moved that the report and bill be referred to committee on Ways and Means. Carried.

#### INTRODUCTION OF BILLS.

Mr. Knox introduced House File No. 132, "A bill for an Act to amend Chap. 22, of the Revision of 1860, in relation to County Boards of Supervisors." Read a first and second time.

Mr. Johnson moved to refer the bill to a select committee.

Mr. Paulk moved to refer to committee on Township and County Organization.

Mr. Green moved that the whole subject be laid on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bruce, Buckham, Brown, Carbee, Fuller, Garrett, Green, Gilchrist, Holdridge, Jeffries, Lathrop, Littler, Lyons, Merriam, Meissner, Mills, McNutt, O'Brien, Perry, Pritchard, Russell of Washington, Simpson, Sweet, Weare, Wolf and Mr. Speaker—27.

The nays were Messrs. Andrews of Decatur, Bereman, Bromley, Baylies, Burke, Campbell, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Gose, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Joy, Johnson, King, Knox, Latham, Logan, Lindley, Lindsey, Magill, Maxwell, Moir, McMaken, McCormack, Nelson, Oliver, Parker, Paulk, Russell of Jones, Richards, Runyon, Sauderson, Sears, Sturgis, Smith, Spurrier, Thompson, Van Sandt, Vinton and White—49.

Absent or not voting, Messrs. Bell, Carey, Cort, Christoph, Dorr, Fry, Finkbine, Galland, Glendenning, Munsell, McOall, McKnight, Potter, Stiles, Stanton and Skiles.

The motion did not prevail.



The question recurring on the motion to refer to committee on County and Township Organization, it did not prevail.

The question recurring on the motion to refer to select committee of five, it was decided in the affirmative.

Mr. Runyon, by leave, submitted the following report :

MR. SPEAKER :—The joint committee on Enrolled Bills beg leave to report that they examined Senate File No. 99 and House File Nos. 35 and 60, find the same correctly enrolled, and present them for your signature.

ALEXANDER RUNYON, Chairman.

Mr. Pritchard introduced House File No. 133, "A bill for an Act to amend Sec. 1, of Chap. 87, of the laws of the Ninth General Assembly," which was read a first time.

Mr. Oliver moved that the bill be rejected. Carried.

Mr. Darby introduced House File No. 134, "A bill for an Act for the protection of owners of domestic animals against the ravages of dogs." Read a first time.

Mr. Hale moved that the bill be rejected, on which question the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Andrews of Keokuk, Buckham, Elliott, Garrett, Gose, Hale, Holdridge, Joy, Latham, Mills, Nelson, O'Brien, Simpson, Sweet, White and Mr. Speaker—16.

The nays were Messrs. Andrews of Decatur, Bereman, Bruce, Bromley, Baylies, Burke, Brown, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Fenn, Fuller, Green, Gilchrist, Hildreth, Hix-Helm, Horton, Hurst, Jeffries, Johnson, King, Knox, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Moir, McMaken, McNutt, McCormack, Oliver, Parker, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Sturgis, Smith, Spurrier, Thompson, Van Sandt, Vinton, Weare and Wolf—60.

Absent or not voting, Messrs. Bell, Carey, Cort, Christoph, Dorr, Fry, Finkbine, Galland, Glendenning, Munsell, McCall, McKnight, Potter, Stiles Stanton and Skiles.

The motion did not prevail.

On motion, the bill was referred to committee on Agriculture.

The following communication from the State Treasurer was received and read, and on motion, was referred to committee on Public Lands.

STATE OF IOWA, TREASURER'S OFFICE, }  
February, 25, 1864. }

*Hon. Jacob Butler,*

*Speaker of the House of Representatives :*

SIR :—I have the honor to acknowledge the receipt of a resolution passed by the House of Representatives on the 23d inst., asking in-

formation in regard to the amount of money received of the General Government as indemnity for Swamp Lands sold after the passage of the act granting such lands to this State, and the disposition made of the same.

In reply, I have to report that Nov. 4, 1863, I received of Gov. Kirkwood the sum of \$8.168.14, for the County of Jones, and \$7.-386.18, for Iowa County.

Immediately upon the receipt of these funds, I notified the clerks of the Board of Supervisors of said counties, as required by Sec. 9, Chap. 160, Laws of the 9th General Assembly, and at the same time informed them that I should retain a per cent. of the amount of money in my hands to reimburse the State for money expended in payment of *per diem* of agents appointed by the Governor, for the settlement of Swamp Land Claims, as I could see no way that the State could be reimbursed and the provisions of Sec. 12, chapter and laws aforesaid, be carried out, except by retaining an amount in the Treasury belonging to each county, sufficient for the purpose.

I accordingly retained the sum of two per cent. out of the amounts in my hands, belonging to the counties aforesaid, the remainder has been paid over to the authorized agents of the counties.

In December last the Secretary of Gov. Kirkwood placed in my hands receipts to the Governor from the following named persons, as agents of counties, to-wit:

J. H. Sanders, agent of Keokuk County, for	\$6,006 93
Thos. B. Abell " Marshall " "	8,381 57
B. F. Coe, " Louisa " "	8,446 67

I am informed by Gov. Kirkwood that the money was paid out by him under a wrong impression as to his duty, and that as soon as the error was discovered the money in his hands was forwarded to this office to be disbursed as required by law, and that all of the above mentioned sums were received by him from F. E. Spinner, Treasurer of the United States.

Respectfully submitted,

WM. H. HOLMES, Treas. of State.

#### MESSAGES AND COMMUNICATIONS.

Senate File No. 93, "A bill for an Act to amend Sec. 711 of the Revision of 1860, in relation to exemption of property from taxation," was taken up, read a first and 2d time, and referred to committee on Ways and Means.

House substitute for Senate File No. 5, "A bill for an Act to provide for the payment of taxes, and the interest and principal of the school fund, in treasury notes issued as legal tender by authority of the Government of the U. States, and notes of National Banks," was taken up, with the amendments adopted by the Senate.

Mr. Moir moved that the House concur in the Senate amendments. On which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Baylies, Campbell, Carbee, Elliott, Fuller, Finkine, Garrett, Gilchrist, Hale, Hildreth, Hixson, Helm, Hurst, Joy, King, Lathrop, Logan, Littler, Lyons, Magill, Mills, Moir, McMaken, McNutt, O'Brien, Parker, Paulk, Russell of Washington, Richards, Sanderson, Sears, Simpson, Spurrier, Sweet, Vinton, Weare, Wolf, White and Mr. Speaker—41.

The nays were Messrs. Bereman, Bruce, Bromley, Buckham, Burke, Brown, Close, Clark, Day, Darby, Davis, Fenn, Green, Gose, Horton, Holdridge, Jeffries, Johnson, Knox, Latham, Lindley, Lindsey, Merriam, Maxwell, Meissner, McCormack, Nelson, Oliver, Perry, Pritchard, Russell of Jones, Runyon, Sturgis, Smith, Thompson and Van Sandt.—36.

Absent or not voting, Messrs. Bell, Carey, Cort, Christoph, Dorr, Fry, Galland, Glendenning, Munsell, McCall, McKnight, Potter, Stiles, Stanton and Skiles.

The motion to concur prevailed.

Mr. Darby moved to adjourn. Lost.

Mr. Magill moved that the bill be read a third time and put upon its passage.

Mr. Lindsay moved that the bill be engrossed, and made the special order for next Thursday, at 10½ o'clock A. M.

Mr. Fenn moved to adjourn. Lost.

Mr. Wolf moved to reconsider the vote by which the House concurred in the amendment of the Senate.

Mr. Hurst moved to adjourn. Carried.

Two o'clock, P. M.

House met pursuant to adjournment.

Mr. Moir moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Those gentlemen absent without leave were Messrs. Hixson, Latham, Logan, McKnight, Nelson, O'Brien, Russell of Jones, and Weare.

Mr. Holdridge moved that the further proceedings under the call be dispensed with. Lost.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your honorable body

that the Senate has passed Senate File No. 178, a substitute for House substitute for House Files Nos. 54 and 23, "A bill for an Act to legalize certain taxes heretofore levied by County Boards of Supervisors," in which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary Senate.

The Speaker announced as the select committee on House File No. 132, "A bill for an Act to amend Chap. 22 of the Revision of 1860, in relation to County Boards of Supervisors," Messrs. Johnston, Moir, Knox, Hildreth and Davis.

On motion, further proceedings under the call was dispensed with.

The consideration of the question under discussion at the hour of adjournment, was resumed.

Mr. Moir asked for leave of absence for Mr. Russell of Jones. Granted.

Mr. Russell of Jones, asked for leave of absence for Mr. Thompson. Granted.

The question recurring on the motion to reconsider the vote taken by which the House concurred in the Senate amendments,

The yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bromley, Buckham, Burke, Campbell, Carbee, Close, Clark, Day, Darby, Fenn, Green, Gose, Horton, Holdridge, Knox, Lindley, Lyons, Merriam, Maxwell, Meissner, McCormack, McKnight, Nelson, Oliver, Perry, Smith, Van Sandt, Weare and Wolf.—31.

The nays were Messrs. Andrews of Decatur, Bruce, Baylies, Brown, Davis, Elliott, Fuller, Finkbine, Garrett, Gilchrist, Hale, Hildreth, Hixson, Helm, Hurst, Jeffries, Joy, Johnson, King, Latham, Logan, Littler, Magill, Mills, Moir, McMaken, McNutt, McCall, O'Brien, Parker, Paulk, Pritchard, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Spurrier, Sweet, Vinton, White and Mr. Speaker.—44.

Absent or not voting, Messrs. Bell, Carey, Cort, Christoph, Dorr, Fry, Galland, Glendenning, Lathrop, Lindsay, Munsell, Potter, Russell of Jones, Stiles, Stanton, Skiles and Thompson.

The motion did not prevail.

The question recurring on the motion to make the bill the special order for Thursday next, it was decided in the negative.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Baylies, Brown, Campbell, Carbee, Darby, Davis, Elliott, Fuller, Finkbine, Garrett, Gilchrist, Hale, Hildreth, Hixson, Helm, Hurst, Jeffries, Joy, King, Latham, Logan, Littler, Lyons, Magill, Mills, Moir, McMaken, McNutt, McCall, Nelson, O'Brien, Parker, Paulk, Pritchard, Russell of Washington, Richards, Run-

yon, Sanderson, Sears, Simpson, Sturgis, Spurrier, Sweet, Vinton, Wolf, White and Mr. Speaker—50.

The nays were, Messrs. Bereman, Bromley, Buckham, Burke, Close, Clark, Day, Fenn, Green, Gose, Horton, Holdridge, Johnson, Knox, Lindley, Merriam, Maxwell, Meissner, McCormack, McKnight, Oliver, Perry, Smith and Van Sandt.—24.

Absent or not voting, Messrs. Bell, Carey, Cort, Christoph, Dorr, Fry, Galland, Glendenning, Lathrop, Lindsay, Munsell, Potter, Russell of Jones, Stiles, Stanton, Skiles, Thomson and Weare.

The bill passed, and the title, as amended, was agreed to.

Mr. Moir moved that the vote by which the bill was passed be reconsidered.

Mr. Finkbine moved to lay the motion on the table. Carried.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
MONDAY, February 20th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. P. F. Bresee.

Journal of Saturday read and approved.

PETITIONS.

Mr. Russell of Washington presented the petition of W. S. Dunagan and two hundred and fifty-five others of Washington county, against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Hurst moved that the rules be suspended, and Senate File No. 126, "A bill for an Act to amend Chap. 37, of the Revision of 1860, in relation to contested elections," be taken up. Carried.

On motion of Mr. Russell of Washington, the bill was read a third time and put upon its passage.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bromley, Buckham, Burke, Brown, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fuller, Finkbine, Garrett, Green, Gose, Gilchrist, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Littler, Lindley, Lyons, Merriam, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Russell of Washington, Banyon, Sanderson, Sears, Simpson, Sturgis, Smith, Spurrier,

Sweet, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—60.

The nays were Messrs. Paulk and Richards—2.

Absent or not voting, Messrs. Bruce, Bell, Baylies, Carey, Cort, Christoph, Dorr, Fry, Galland, Glendenning, Logan, Lindsey, Magill, Munsell, McCall, Potter, Russell of Jones, Stiles, Stanton, Skiles and Thompson.

The bill passed and the title was agreed to.

Mr. McNutt asked for leave of absence for Mr. Gilchrist. Granted.

Mr. Maxwell moved that the rule be suspended, and that Senate File No. 178, "A bill for an Act to legalize certain taxes heretofore levied by County Boards of Supervisors," be taken up. Carried.

Mr. Paulk moved that the special order be suspended ten minutes. Carried.

Mr. Oliver moved that the rule be suspended, the bill read a third time, and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bromley, Burke, Brown, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Elliott, Fuller, Finkbine, Garrett, Green, Gose, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, King, Knox, Latham, Lathrop, Littler, Lindley, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Russell of Washington, Ranyon, Sanderson, Sears, Simpson, Sturgis, Smith, Spurrier, Sweet, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—66.

The nays were, Messrs. Buckham, Johnson and Richards—3.

Absent or not voting, Messrs. Bruce, Bell, Baylies, Carey, Cort, Christoph, Dorr, Fenn, Fry, Galland, Glendenning, Gilchrist, Hale, Logan, Lindsey, Munsell, O'Brien, Potter, Russell of Jones, Stiles, Stanton, Skiles and Thompson.

The bill passed and the title was agreed to.

Mr. Russell of Washington moved that the rule be suspended, and House File No. 123 "A bill for an Act to provide for the appointment of sanitary agents, to define their duties, and to provide for their compensation, be taken upon its passage. Lost.

Mr. Hurst moved that the vote just taken be reconsidered. Carried.

The question recurring on the motion to suspend the rule, it was decided in the affirmative.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bereman, Bruce,

Bronley, Buckham, Baylies, Burke, Brown, Campbell, Carbee, Clark, Darby, Davis, Elliott, Fenn, Finkbine, Garrett, Green, Gose, Gilchrist, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lyons, Magill, Mills, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Washington, Richards, Runyon, Simpson, Sturgis, Smith, Spurrier, Van Sandt, Weare, Wolf, White and Mr. Speaker—60.

The nays were Messrs. Andrews of Keokuk, Close, Day, Fuller, Hale, Hildreth, Horton, Merriam, Maxwell, Meissner, McCormack, McKnight, Sanderson, Sears, Sweet and Vinton—16.

Absent or not voting—Messrs. Bell, Carey, Cort, Christoph, Dorr, Fry, Galland, Glendenning, Lindsay, Munsell, Potter, Russell of Jones, Stiles, Stanton, Skiles and Thompson.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed the following bills, in which the concurrence of the House is respectfully asked, to-wit:

Senate File No. 149—A bill for an Act authorizing Railroad Companies to issue preferred stock, and to change the name of such companies.

Senate File No. 60—A bill for an Act to amend Chap. 172 of the Acts of the 9th General Assembly of the State of Iowa, entitled an Act to amend and consolidate an Act passed by the Board of Education, Dec. 24, 1859, entitled an Act to amend an Act to provide a system of common schools, and the amendments thereto.

Senate File No. 152—A bill for an Act for the encouragement of lead mining in the State of Iowa.

Also, that the Senate has concurred in the House amendments to Senate File No. 137—A bill for an Act making appropriations for the payment of State and Judicial officers, interest on State bonds and loans, and for other purposes.

WM. F. DAVIS, Secretary Senate.

Mr. Magill, from committee on Railroads, submitted a report with substitute bill for House File No. 112, and a memorial to Congress.

Mr. Finkbine moved that the bill presented by the standing committee on Railroads be substituted for the bill presented by select committee on Railroads.

Mr. Baylies, from committee on Railroads, presented a minority report, offering amendments to the bill under consideration.

Mr. Paulk moved that the bill, reports and amendments be laid on the table and printed. Carried.

The hour for special order having arrived, the House resolved itself into Committee of the Whole, Russell of Jones in the chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock P. M.

The report was adopted.

On motion the House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Moir moved that the special order be postponed 20 minutes.  
Carried.

Mr. Runyon presented the following reports:

MR. SPEAKER:—The Joint Committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 137 and 159, find them correctly enrolled, and present the same for your signature.

ALEX. RUNYON, Chairman.

MR. SPEAKER:—The Joint Committee on Enrolled Bills beg leave to report they presented to his Excellency the Governor for his approval, House Files Nos. 5, 109, 35, 60 and resolution endorsing paying of African soldiers the same as others.

A. RUNYON, Chairman.

Mr. Finkbine asked for leave of absence for Speaker Butler.  
Granted.

The Speaker announced that the election of a Speaker *pro tem* would be in order.

The following gentlemen were put in nomination: Messrs. Russell of Washington, Russell of Jones, Moir, Magill, Bereman, Finkbine and Richards.

Mr. Finkbine, having received the largest number of votes, was, on motion of Mr. Moir declared unanimously elected Speaker, *pro tem*.

Mr. Richards, by leave, called up Senate File No. 152, "A bill for an Act for the encouragement of lead mining in the State of Iowa," read a 1st and 2d time by its title, and Referred to select committee of 3.

The Speaker appointed as said committee, Messrs. Richards, Bereman and Hale.

Mr. Hildreth, by leave, offered the following resolution:

*Resolved*, That the Secretary of State is hereby requested to inform this House how many copies of the Iowa Geological Reports have been printed, the cost of said printing, in what manner the re-



ports were distributed, how many copies remain on hand, whether the work was stereotyped, and if so, in whose custody are the stereotype plates, at whose expense the engravings for illustrating the work were made, and in whose possession the engravings remain at the present time.

Mr. Russell of Washington moved that the rule be suspended and that the resolution be adopted. Carried.

The hour for special order having arrived, the House resolved itself into committee of the whole on the Railroad Bill, Mr. Russell of Jones, in the chair.

The committee arose, reported progress, and asked leave to sit again at 10½ o'clock to-morrow morning.

On motion, the report was adopted.

Mr. Horton, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The committee on Enrolled Bills, beg leave to report that they have examined Senate File No. 126, find it correctly enrolled and present the same for your signature.

HORTON, for Committee.

Mr. Holbridge, by leave, called up substitute for House File No. 39, "A bill for an Act to provide for the relief of families of Iowa soldiers," and moved that the bill be recommitted to select committee on Relief of Soldiers Families. Carried.

Mr. Littler, by leave, presented a remonstrance of C. Wells, and other citizens of Washington County, against the repeal of the present Prohibitory Liquor Law. Referred to committee on Intemperance.

On motion, House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
TUESDAY, March 1st, 1864. }

House met pursuant to adjournment.

Prayer by Rev. P. F. Bresee.

Journal of yesterday read and approved.

#### PETITIONS.

Mr. Russell, of Jones, presented resolutions and petition from the Bowen's Prairie Farmers' Club, Jones Co., praying for the passage of some law to prevent the destruction of sheep by worthless dogs. Referred to committee on Agriculture.

Mr. Lindsay presented the petition of N. W. Garretson and others, of Madison Co., recommending the name of David Stanton as Trustee of the Agricultural College and Farm. Referred to committee on Agriculture.

Mr. Van Sandt presented the claim of C. T. Haskins against J. T. Baldwin, for goods furnished the Fourth Reg. Iowa Vol. Inf., with the certificate of Col. John R. Moreledge. Referred to committee on Claims.

Mr. Wolf presented the petition of D. R. Schmucker, and other citizens of Cedar county, asking for some law to prevent the trapping of prairie chickens in this State, and to protect game. Referred to committee on Agriculture.

#### REPORTS OF COMMITTEES.

The committee on Military Affairs, to whom was referred Senate joint resolution instructing our Senators in Congress, and requesting our Representatives, to secure the passage of an act granting bounties to soldiers, instruct me to report the same back, and recommend its passage, with the following amendment: Strike out the words, "wounds received or," which occur in the 13th line.

J. ANDREWS.

On motion, the report was adopted.

The committee on New Counties, to whom was referred House File No. 115, "A bill for an Act changing the boundaries of the counties of Dallas and Polk," have considered the bill, and direct me to report the same back to the House, and recommend that it lie upon the table.

DAVIS, Chairman.

\*On motion, the report was adopted.

The committee on Agriculture, to whom was referred House File No. 113, "A bill for an Act to amend Chap. 102 of the acts of the regular session of the 9th General Assembly, in reference to estrays," have had the same under consideration, and have instructed me to report it back to the House with amendment, to-wit: Add the following as Sec. 2.

"Any person who is a householder, suffering any work animal to remain on his or their premises for the space of ten days, without taking up and advertising the same as provided in Sec. 3 of the act to which this is amendatory, shall be liable to a fine of not less than five nor more than fifty dollars, for every such offence; and every person taking up any work animal and not advertising the same within three days thereafter, shall be guilty of a misdemeanor, and shall be fined in any sum not less than five nor more than one hundred dollars, and shall be liable for all damage that the owner of such animal may receive from such neglect," and to recommend that it be put upon its passage.

H. M. THOMPSON, Chairman.

The select committee to whom was referred House File No. 127, "A bill for an Act providing for the formation of the 12th Judicial District, and fixing the times of Holding courts therein," have had the same under consideration, and have instructed me to report the same back to this House with the recommendation that it pass.

BURKE, Chairman.

The select committee to whom was referred Senate File No. 152, "A bill for an Act for the encouragement of lead mining in the State of Iowa," ask leave to report the same back to this House, and unanimously recommend its passage.

B. B. RICHARDS,  
A. H. BEREMAN,  
WM. HALE.

Mr. Bromley moved that the rule be suspended, the bill read a 8d time and put upon its passage. Carried.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fuller, Finkbine, Garrett, Green, Gose, Hale, Hildreth, Helm, Horton, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsay, Lyons, Merriam, Meissner, Mills, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Oliver, O'Brien, Parker, Paulk, Pritchard, Russell of Jones, Russell of Washington, Richards, Sanderson, Sears, Sturgis, Smith, Spurrier, Sweet, Thomson, Van Sandt, Vinton, Weare, Wolf and White.—70.

The nays were, Mr. Maxwell.—1.

Absent or not voting, Messrs. Bell, Cort, Christoph, Dorr, Fry, Galland, Glendenning, Gilchrist, Hixson, Jeffries, Magill, Munsell, Nelson, Perry, Potter, Runyon, Simpeon, Stiles, Stanton, Skiles and Mr. Speaker.

The bill passed, and the title was agreed to.

Mr. Hildreth moved that the special order be suspended, and that House File No. 94, "A bill for an Act to amend an Act entitled an Act for the government and regulation of the State University of Iowa," be taken up, read a third time by its title, and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bruce, Bromley, Baylies, Burke, Brown, Campbell, Carbee, Darby, Davis, Elliott, Fenn, Finkbine, Green, Gose, Hale, Hildreth, Helm, Horton, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Moir, McMaken,

McNutt, McCall, McCormack, McKnight, Oliver, O'Brien, Parker, Paulk, Pritchard, Russell of Jones, Russell of Washington, Richards, Sanderson, Sturgis, Smith, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, and Wolf—58.

The nays were Messrs. Boreman, Buckham, Carey, Close, Clark, Day, Fuller, Garrett and Meissner—9.

Absent or not voting, Messrs. Andrews of Decatur, Bell, Cort, Christoph, Dorr, Fry, Galland, Glendenning, Gilchrist, Hixson, Jeffries, Lathrop, Lindley, Munsell, Nelson, Perry, Potter, Runyon, Sears, Simpson, Stiles, Stanton, Skiles, White and Mr. Speaker.

The bill passed, and the title was agreed to.

The hour for special order having arrived, the House resolved itself into Committee of the Whole, Mr. Russell, of Jones, in the Chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock. The report was adopted.

On motion, the House adjourned.

## TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The hour having arrived for special order, the House resolved itself into Committee of the Whole, Mr. Russell, of Jones, in the Chair.

The committee rose, reported progress, and asked leave to sit again to-morrow morning at 10½ o'clock.

Mr. Russell of Washington moved that the report of the committee lie on the table. Carried.

Mr. Russell, of Washington, moved that the resolution relative to amending Rule 41, by striking out "10 o'clock A. M.," and inserting "9 o'clock A. M.," be taken from the table and adopted. The motion prevailed.

Mr. Russell, of Washington, moved that the report of the Committee of the Whole be taken from the table. Carried.

Mr. Russell, of Jones, moved to amend the report by striking out the word "10½" and insert "10." Carried.

On motion, the report was adopted.

Mr. Elliott called up Senate File No. 1, "A bill for an Act to repeal Chap. 17, of the extra session of the 9th General Assembly of 1862, entitled an act to provide for the protection of the southern border of the State."

Mr. Litter moved that the amendment recommended by the Military Committee, to whom the bill was referred, be adopted. Lost.

of the Acts of the 9th General Assembly, entitled an Act fixing the salaries of certain officers.

The Senate has adopted a joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to extend the time for the grant of Railroad lands.

WM. F. DAVIS, Secretary Senate.

Senate File No. 190, "A bill for an Act authorizing the transcribing and comparing of certain Indexes of Appanoose County was taken up, read a 1st and 2d time and referred to committee on Judiciary.

Mr. Latham, by leave, introduced the following resolution:

*Resolved*, by the House of Representatives, that the State Printer be and is hereby requested to inform this House whether the report of Mrs. Annie Wittenmeyer to Gov. Stone and the 10th General Assembly," was printed by authority of either branch of the present General Assembly, and moved that the rule be suspended, and the resolution adopted. Carried.

Mr. Sturgis, by leave, introduced the following resolution, and moved its adoption:

*Resolved*, That from and after the 10th inst., there shall be no new business introduced into this House, without the unanimous consent of the members present, except it be bills or resolutions reported by "standing committees," or by "special committees" that may have been appointed prior to that day.

Mr. Russell of Washington, moved to strike out the word "special" and insert the word "select." Carried.

Mr. Hildreth moved to amend the resolution by striking out the words "unanimous consent" and insert the words "two third's vote." Carried.

The resolution as amended, was adopted.

Senate joint resolution relating to grants of land to Railroads, was taken up, and on motion, was referred to committee on Railroads.

The hour for special order having arrived, the House resolved itself into committee of the whole, Mr. Russell of Jones, in the chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock, P. M.

On motion, the report was adopted.

Mr. Hale asked for leave of absence for Mr. Close, for the remainder of this week. Granted.

Mr. Bereman asked for leave of absence for Mr. Glendenning. Granted.

On motion, the House adjourned.

ges in the act of Congress approved July 1st, 1862, establishing a Pacific Railroad and Branches," find them correctly enrolled, and present the same for your signature.

HORTON, Chairman.

Mr. Paulk moved that the vote by which House File No. 94, "A bill for an Act entitled 'An Act for the government and regulation of the State University of Iowa'" was passed, be reconsidered. Carried.

Mr. Paulk moved that the vote by which the bill was ordered to a 3d reading, be reconsidered. Carried.

#### MESSAGES AND COMMUNICATIONS ON THE TABLE.

Senate File No. 149, "A bill for an Act authorizing Railroad Companies to issue preferred stock, and change the name of such companies," was taken up, read a first and second time, and referred to committee on Railroads.

Senate File No. 60, "A bill for an Act to amend Chap. 172 of the Acts of the 9th General Assembly of the State of Iowa, entitled an Act to amend and consolidate an Act passed by the Board of Education, Dec. 24th, 1859, entitled 'An Act to amend an Act entitled an Act to provide a system of common schools,' and the amendments thereto," was taken up, read a first and second time, and referred to committee on Schools and Universities.

A specimen of army bread, known as "hard tack," was received, labelled as follows: "Camp Madisonville, La., Feb. 12, 1864. Compliments of Co. G, 24th Reg. Iowa Vol. Infy."

Mr. Paulk moved that the present be received, and the Clerk be instructed to thank the donors.

Mr. Oliver moved to amend by inserting after the word "received," the words, "deposited with the State Historical Society." Carried.

Mr. Paulk moved that the whole matter be referred to the committee on Sanitary Affairs. Carried.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform your honorable body that the Senate has passed Senate File No. 190—A bill for an Act authorizing the transcribing and comparing of certain Indexes of Appanoose Co.

Also, that the Senate has concurred in the House amendments to joint resolution recommending certain changes in the Act of Congress approved July 1st, 1862, establishing a Pacific Railroad and branches.

Also, that the Senate has concurred in the House amendments to Senate File No. 10—A bill for an Act to amend Sec. 1, Chap. 19,

County Superintendent, which were referred to committee on Schools and University.

Mr. Sturgis presented the petition of J. N. House, asking for a change in the school law. Referred to same committee.

Mr. Lindsey presented the remonstrance of Benj. Coles and others, against the repeal of the present liquor law. Referred to committee on Intemperance.

#### REPORTS OF COMMITTEES.

The committee on Military Affairs, to whom was referred Senate File No. 64, have had the same under consideration, and instruct me to report the same back and recommend its passage.

J. ANDREWS, Chairman.

Mr. Andrews moved that the rule be suspended, and that Senate File No. 64, "A bill for an Act to amend Chap. 175, Acts of the 9th General Assembly, at its regular session," be taken up. Carried.

Mr. Merriam moved that the 8d Section be amended by striking out the following words: "Said Auditor shall deliver him the bonds provided for in Section one of this Act."

The amendment prevailed.

Mr. Paulk moved to strike out 8d Section.

Mr. Moir moved that the bill be recommitted to committee on Military Affairs. Carried.

MR. SPEAKER:—The committee on Enrolled Bills beg leave to report that they have examined Senate File 152, "An Act to encourage mining in the State of Iowa," find it correctly enrolled, and present the same for your signature.

That substitute for House Files 54 and 23, was presented to the Governor, March 2, '64.

HORTON.

MR. SPEAKER:—The committee on Agriculture, to whom was referred House File No. 122, "An Act repealing a part of Sections 287 and 288 of the Revision of 1860," have had the same under consideration, and have instructed me to report it back to the House, and to recommend that it do not pass.

H. M. THOMPSON, Chairman.

Mr. Magill, from standing committee on Railroads, to whom was referred joint resolution and memorial, asking Congress that a branch of the Pacific Railroad be located from a point near the 42d parallel, on the Missouri river, to a point near the 101st meridian, &c., reported it back, and recommended its passage.

#### INTRODUCTION OF BILLS.

Mr. Merriam introduced House File No. 135, "A bill for an Act

to amend Section 5168, of Article 3, of Chap. 247, of the Revision of 1860." Read a first and second time, and referred to committee on Charitable Institutions.

Mr. Van Sandt introduced House File No. 186, "A bill for an Act to regulate the compensation of County Judges, and Clerks of the District Court." Read a first and second time, and referred to committee on Judiciary.

Mr. Weare introduced House File No. 187, "A bill for an Act to amend the charter of the city of Cedar Rapids." Read a first and second time, and referred to committee on Judiciary.

Mr. Moir introduced House File No. 138, "A bill for an Act to distribute the Revision of 1860 to the several Justices of the Peace in the State of Iowa." Read a first and second time, and referred to committee on Public Buildings and Property.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the honorable House of Representatives that the Senate has passed House File No. 90, "A bill for an Act to abolish the Board of Education of the State of Iowa, to provide for the election of a Superintendent of Public Instruction, prescribing his duties, and for other purposes connected therewith, with the accompanying amendments.

Senate File No. 128, "A bill for an Act to repeal a portion of Section 4847, of the Revision of 1860.

Senate File No. 129, "A Bill for an Act to amend Sec. 4207 of the Revision of 1860.

Senate File No. 138, "A bill for an Act to amend Chap. 16, of the Revision of 1860, in relation to Notaries Public.

In all of which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Sec'y Senate.

#### RESOLUTIONS.

The joint resolution relating to a branch of the Pacific Railroad, reported back by the Railroad Committee, was taken up and read.

Mr. Oliver moved the adoption of the resolution.

Mr. McNutt offered the following as a substitute for the resolution:

*Resolved*, That our delegation in Congress be requested to use their influence to have a branch of the Pacific Railroad extended so as to connect with each of the five lines of railway crossing the State of Iowa, and terminating on the Missouri and Sioux rivers.

The hour for special order having arrived, Mr. Nelson moved that it be suspended fifteen minutes. Carried.

Mr. Hildreth moved that the memorial and joint resolution with these amendments be recommitted to committee on Railroads. Carried.



County Superintendent, which were referred to committee on Schools and University.

Mr. Sturgis presented the petition of J. N. House, asking for a change in the school law. Referred to same committee.

Mr. Lindsey presented the remonstrance of Benj. Coles and others, against the repeal of the present liquor law. Referred to committee on Intemperance.

#### REPORTS OF COMMITTEES.

The committee on Military Affairs, to whom was referred Senate File No. 64, have had the same under consideration, and instruct me to report the same back and recommend its passage.

J. ANDREWS, Chairman.

Mr. Andrews moved that the rule be suspended, and that Senate File No. 64, "A bill for an Act to amend Chap. 175, Acts of the 9th General Assembly, at its regular session," be taken up. Carried.

Mr. Merriam moved that the 3d Section be amended by striking out the following words: "Said Auditor shall deliver him the bonds provided for in Section one of this Act."

The amendment prevailed.

Mr. Paulk moved to strike out 3d Section.

Mr. Moir moved that the bill be recommitted to committee on Military Affairs. Carried.

MR. SPEAKER:—The committee on Enrolled Bills beg leave to report that they have examined Senate File 152, "An Act to encourage mining in the State of Iowa," find it correctly enrolled, and present the same for your signature.

That substitute for House Files 54 and 23, was presented to the Governor, March 2, '64.

HORTON.

MR. SPEAKER:—The committee on Agriculture, to whom was referred House File No. 122, "An Act repealing a part of Sections 287 and 288 of the Revision of 1860," have had the same under consideration, and have instructed me to report it back to the House, and to recommend that it do not pass.

H. M. THOMPSON, Chairman.

Mr. Magill, from standing committee on Railroads, to whom was referred joint resolution and memorial, asking Congress that a branch of the Pacific Railroad be located from a point near the 42d parallel, on the Missouri river, to a point near the 101st meridian, &c., reported it back, and recommended its passage.

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to amend Section 5168, of Article 3, of Chap. 247, of the Revision of 1860." Read a first and second time, and referred to committee on Charitable Institutions.

Mr. Van Sandt introduced House File No. 186, "A bill for an Act to regulate the compensation of County Judges, and Clerks of the District Court." Read a first and second time, and referred to committee on Judiciary.

Mr. Weare introduced House File No. 187, "A bill for an Act to amend the charter of the city of Cedar Rapids." Read a first and second time, and referred to committee on Judiciary.

Mr. Moir introduced House File No. 188, "A bill for an Act to distribute the Revision of 1860 to the several Justices of the Peace in the State of Iowa." Read a first and second time, and referred to committee on Public Buildings and Property.

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Senate File No. 188, "A bill for an Act to amend Chap. 16, of the Revision of 1860, in relation to Notaries Public.

In all of which the concurrence of the House is respectfully asked.

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#### RESOLUTIONS.

The joint resolution relating to a branch of the Pacific Railroad, reported back by the Railroad Committee, was taken up and read.

Mr. Oliver moved the adoption of the resolution.

Mr. McNutt offered the following as a substitute for the resolution:

*Resolved*, That our delegation in Congress be requested to use their influence to have a branch of the Pacific Railroad extended so as to connect with each of the five lines of railway crossing the State of Iowa, and terminating on the Missouri and Sioux rivers.

The hour for special order having arrived, Mr. Nelson moved that it be suspended fifteen minutes. Carried.

Mr. Hildreth moved that the memorial and joint resolution with these amendments be recommitted to committee on Railroads. Carried.

Mr. Hildreth called up House File No. 94, "A bill for an Act to amend an act entitled an act for the government and regulation of the State University of Iowa."

Mr. Lyons moved that Sec. 5 be stricken out, and the following inserted instead:

"Sec. 5. The members of the Board of Trustees shall receive no other compensation than their necessary traveling expenses, in going to and returning from the meeting of the Board, by the nearest traveled route."

Mr. Hildreth moved that the special order be suspended fifteen minutes. Lost.

The hour for special order having arrived, the House resolved itself into Committee of the Whole, Mr. Russell, of Jones, in the Chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock P. M.

On motion, the report was adopted.

Mr. Knox offered the following resolution:

*Resolved*, That the use of this Hall be granted to Dr. Mayhew, of New York City, for the purpose of delivering two lectures—one on Sunday afternoon next, at 2 o'clock, and the other in the evening of the same day—upon the subject of the Religio Philosophy.

Mr. Hildreth moved that the resolution be laid upon the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bruce, Bell, Buckingham, Garrett, Hildreth, Horton, Huret, Jeffries, Logan, Lyons, Parker, Potter, Sears, Simpson, Sweet, Thomson and Weare—18.

The nays were Messrs. Andrews of Decatur, Bromley, Baylies, Burke, Brown, Carey, Campbell, Carbee, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Finkbine, Green, Gose, Hale, Hixson, Helm, Holdridge, Joy, Johnson, Knox, Latham, Littler, Lindley, Lindsay, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Oliver, O'Brien, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Richards, Runyon, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Van Sandt, Vinton, Wolf and White—80.

Absent or not voting, Messrs. Bereman, Cort, Christoph, Close, Dorr, Fuller, Galland, Glendenning, Gilchrist, King, Lathrop, Nelson, Sanderson and Mr. Speaker.

The motion did not prevail.

Mr. McNutt offered the following amendment to the resolution:

"And that the clergy of this city be invited to hold divine service in this hall every Sunday evening, as they may arrange among themselves, in turn."

Mr. Weare moved that the House adjourn. Lost.

Mr. Bromley offered the following amendment to amendment: "And that we agree to take up a collection at each service, to pay the said minister.

Mr. Russell of Washington, moved the previous question, which was seconded.

The question recurring on the motion to adopt the amendment to the amendment, it was decided in the negative.

The question recurring on the motion to adopt the amendment offered by Mr. McNutt, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bell, Buckham, Carey, Darby, Fenn, Fry, Gose, Hildreth, Hixson, Horton, Hurst, Littler, Lindley, Lindsey, Lyons, Munsell, McMaken, McNutt, Potter, Russell of Washington, Sanderson, Sears, Simpson and Weare.—25.

The nays were Messrs. Andrews of Decatur, Bereman, Bruce, Bromley, Baylies, Burke, Campbell, Carbee, Clark, Day, Davis, Elliott, Finkbine, Garrett, Green, Hale, Helm, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Logan, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McCall, McCormack, McKnight, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Richards, Runyon, Sturgis, Skiles, Stanton, Smith, Spurrier, Thompson, Van Sandt, Vinton, Wolf and White—53.

Absent or not voting, Messrs. Brown, Cort, Christoph, Close, Dorr, Fuller, Galland, Glendenning, King, Lathrop, Nelson, Sweet and Mr. Speaker.

The motion did not prevail.

The question recurring on the motion to adopt the resolution, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Bromley, Baylies, Carey, Campbell, Carbee, Clark, Day, Darby, Davis, Elliott, Fenn, Finkbine, Green, Gose, Hale, Hixson, Helm, Holdridge, Joy, Johnson, Knox, Latham, Logan, Littler, Lindley, Lindsey, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McCall, McCormack, McKnight, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sturgis, Stiles, Stanton, Skiles, Spurrier, Van Sandt, Vinton, Wolf and White—57.

The nays were Messrs. Andrews of Keokuk, Bruce, Bell, Buckham, Fry, Garrett, Hildreth, Horton, Hurst, Jeffries, Lyons, Munsell, McNutt, Potter, Sears, Simpson, Smith, Sweet, Thompson, and Weare—20.

Absent or not voting, Messrs. Bereman, Burke, Brown, Cort, Christoph, Close, Dorr, Fuller, Galland, Glendenning, Gilchrist, King, Lathrop, Nelson and Mr. Speaker.

The motion prevailed.

On motion the House adjourned.

Two o'clock, P. M.

House met pursuant to adjournment.

Mr. Russell, of Washington, called up the resolution relating to mail facilities, and moved its reference to a select committee of three. Carried.

Mr. Hildreth, by leave, offered the following resolution :

*Resolved*, That smoking and ticket selling in this Hall are hereby forbidden, and that the Sergeant-at-Arms is hereby instructed to see that this resolution is properly enforced.

Mr. Davis moved to amend by striking out the words "ticket selling." Lost.

On motion, the resolution was adopted.

The following communication from the State Printer was received and read :

*To the Speaker of the House of Representatives :*

SIR :—In answer to the resolution inquiring whether the report of Mrs. Annie Wittenmyer was printed by authority of either branch of the General Assembly, I would state that it was printed solely by the order, and on the individual account, of Mrs. Wittenmyer.

Very Respectfully,

F. W. PALMER.

DES MOINES, March 2, 1864.

The Speaker announced as select committee on the resolution for mail facilities, Messrs. Oliver, Johnson and Maxwell.

The hour for special order having arrived, the House resolved itself into Committee of the Whole, Mr. Russell of Jones, in the Chair.

The committee rose, reported progress, and asked leave to sit again to-morrow at 10 o'clock.

On motion, the report of the committee was adopted.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
FRIDAY, March 4th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. McCague.

Journal of yesterday read and approved.

## PETITIONS AND REMONSTRANCES.

Mr. Bell presented a memorial of Caleb Baldwin and others, relating to Sanitary Affairs. Referred to committee on Sanitary Affairs.

Also a petition from Isaac Walton and others, praying that the County Supervisor system may be continued. Referred to committee on County and Township organization.

Also a petition from F. A. Day, praying that lands may be granted to the Railroad Company, only on conditions. Referred to committee on Railroads.

Mr. Buckham presented the petition of the members of the Board of Supervisors of Fremont County, praying for an act resuming the Railroad lands. Referred to committee on Railroads.

## REPORTS OF COMMITTEES.

The committee on Schools and State University to whom was referred Senate File No. 60, have had the same under consideration, and instructed me to report the bill back with a substitute, and recommend that the substitute pass.

HILDRETH, Chairman.

The committee on Military Affairs to whom was referred Senate File No. 64, have had the same under consideration, and instructed me to report the same back and recommend its passage with the following amendments, to-wit:

In the 18th line of the 2d Section, substitute "hand" instead of "hands." In the 5th line of Sec. 3, strike out "winding" and insert "closing," and strike out all after the word "therefore," which occurs in the 11th line of same section.

J. ANDREWS, Chairman.

MR. SPEAKER:—The committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 1 and 10, find them correctly enrolled, and present the same for your signature.

HORTON, for Committee.

MR. SPEAKER:—The committee on County and Township Organization, to whom was referred House File No. 124, "A bill for an Act to amend Subdivision 5, of Section 663, of the Revision of 1860," have instructed me to report it back to the House, with the following amendment, to wit: "Strike out Sec. 2;" and, thus amended, recommend its passage.

O. NELSON, Chairman.

MR. SPEAKER:—I am directed by the committee on County and Township Organization, to report back to this House, House File No. 125, "A bill for an Act defining the duties of County Survey-

ora," with the following amendment, to wit: "Strike out Sec. 3;" and recommend the passage of the same, as amended.

O. NELSON, Chairman.

The select committee, to whom was recommitted Senate File No. 95, "A bill for an Act to provide for the preliminary survey of a ship-canal route from the State of Iowa eastward to the Illinois River," have had the same under consideration, and have instructed me to report the same back to the House, with the accompanying amendment, and to recommend that the bill, as amended do pass.

*Provided further*, That the survey contemplated by this act shall be extended so as to embrace a survey, by the nearest and most practicable route to the Mississippi River, to a point above as well as below the Upper Rapids of the said river. And

*Provided further*, That the improvement by Ship Canal of the upper and lower rapids of the Mississippi river should, as an act of justice to the whole State, be made an indispensable condition in any bill for a ship canal from the Lakes to the Mississippi river, which is to receive the support of the Congressional delegation from Iowa. And

*Provided further*, That in the event of the above contemplated route for a ship canal from La Salle to the Mississippi river being found impracticable, that then we urge Congress that an examination shall be made of the northern route, known and designated as the Wisconsin and Fox River Improvement.

SANDERSON, Chairman.

Mr. Oliver from Select Committee to whom was referred joint resolution asking additional mail facilities, reported the same back to the House with a substitute.

Mr. Davis offered the following amendment:

"Also a tri-weekly mail from Winterset, in Madison county, via Afton, Union county, to Bedford, Taylor county. Carried.

On motion, the substitute resolution was adopted.

#### INTRODUCTION OF BILLS.

Mr. Helm introduced House File No. 139, "A bill for an Act to vacate the public square in the village of Toledo, county seat of Tama county," read a 1st and 2d time and referred to committee on Judiciary.

Mr. O'Brien introduced House File No. 140, "A bill for an Act to restrain the sale of intoxicating liquors in Incorporated cities and towns," read a 1st and 2d time and referred to committee on Intemperance.

Mr. Nelson, by leave, submitted the following report:

The committee on County and Township Organization to whom was referred House File No. 97, "A bill for an Act requiring reports from the clerks of the several Boards of Supervisors in this

State, concerning School Lands," have considered the same and have directed me to report the same back to this House with the following amendments:

Strike out the word "respective," occurring in the 5th line, of the 1st section, and in the 3d line of the 2d section. Also strike out all of Sec. 6, as far as the word "the" in the 2d line thereof. And thus amended, recommend its passage.

O. NELSON, Chairman.

#### MESSAGES AND COMMUNICATIONS ON THE TABLE.

Senate File No. 128, "A bill for an Act to repeal a portion of Sec. 4347, of the Revision of 1860," was taken up, read a first and second time, and referred to committee on Judiciary.

Senate File No. 129, "A bill for an Act to amend Sec. 4207, of the Revision of 1860," was taken up, read a first and second time, and referred to committee on Judiciary.

Senate File No. 138, "A bill for an Act to amend Chap. 16, of the Revision of 1860, in relation to Notaries Public," was taken up, read a first and second time, and referred to same committee.

House File No. 90, "A bill for an Act abolishing the Board of Education, and for other purposes," with the amendments of the Senate, was taken up.

Mr. Sturgis moved that the bill be referred to committee on Schools and Universities.

The hour for special order having arrived, Mr. Paulk moved that it be suspended for fifteen minutes. Lost.

The House resolved itself into Committee of the Whole, on House File No. 112, and amendments, Mr. Russell, of Jones, in the Chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock this afternoon.

On motion, the report was adopted.

The further consideration of the Senate amendments to House File, No. 90, "A bill for an Act abolishing the Board of Education, and for other purposes," was resumed. The question being on referring to committee on Schools and Universities, was decided in the negative.

The question recurring on the motion to concur in the Senate amendments, the amendments were taken up separately.

On the question, "Shall the first amendment be concurred in?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Baylies, King, Merriam, Mills, Sanderson and Weare—7.

The nays were Messrs. Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Brown, Carey, Campbell, Carbee, Clark, Day, Darby, Davis, Fry, Fuller, Finkbine, Garrett, Green, Goss, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Jeffries, Joy, John-



son, Knox, Latham, Lathrop, Logan, Littler, Lyons, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Wolf and White—67.

Absent or not voting, Messrs. Burke, Cort, Christoph, Close, Dorr, Elliott, Fenn, Galland, Glendenning, Gilchrist, Holdridge, Lindley, Lindsey, McKnight, Perry, Russell of Washington, Vinton and Mr. Speaker.

The motion was lost.

On the question, "Shall the second amendment be concurred in?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Horton, Hurst, Mills, Sanderson and Smith—6.

The nays were Messrs. Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Clark, Day, Darby, Davis, Fry, Fuller, Finkbine, Garrett, Green, Gose, Hale, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sears, Simpson, Sturgis, Stiles, Stanton, Skiles, Spurrier, Sweet, Thompson Van Sandt, Weare, Wolf and White—70.

Absent or not voting, Messrs. Burke, Cort, Christoph, Close, Dorr, Elliott, Fenn, Galland, Glendenning, Gilchrist, Lindsey, McKnight, Perry, Russell of Washington, Vinton and Mr. Speaker.

The motion to concur did not prevail.

On the question, "Shall the third amendment to Sec. 8 be concurred in?" the yeas and nays were as follows:

The yeas were none.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Clark, Day, Darby, Davis, Fenn, Fry, Fuller, Finkbine, Garrett, Green, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindsay, Lyons, Merriam, Magill, Meissner, Mills, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Munsell, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Richards, Runyon, Sanderson, Sears, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson, Van Sandt, Weare, Wolf and White—74.

Absent or not voting, Messrs. Burke, Cort, Cristoph, C'ose, Dorr, Elliott, Galland, Glendenning, Gose, Gilchrist, Lindley, Maxwell, Potter, Russell of Washington, Simpson, Stiles, Vinton and Mr. Speaker.

The motion to concur did not prevail.

On the question, "Shall the fourth amendment be concurred in?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Clark, Darby, Davis, Fenn, Fuller, Finkbine, Gose, Hildreth, Hixson, Hurst, Holdridge, Jeffries, Joy, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsay, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, O'Brien, Parker, Sanderson, Stanton, Skiles, Spurrier, Sweet, Thomson, Van Sandt, Weare, Wolf and White.—54.

The nays were Messrs. Bereman, Bruce, Day, Fry, Garrett, Green, Horton, Johnson, Lyons, Meissner, McKnight, Oliver, Paulk, Pritchard, Potter, Russell of Jones, Richards, Sturgis and Smith—19.

Absent or not voting, Messrs. Burke, Cort, Christoph, Close, Dorr, Elliott, Galland, Glendenning, Gilchrist, Hale, Helm, Perry, Russell of Washington, Runyon, Sears, Simpson, Stiles, Vinton and Mr. Speaker.

The fourth amendment was concurred in.

Mr. Moir moved that a committee of conference consisting of Messrs. Hildreth, Paulk and Spurrier on the part of the House be appointed to meet a similar committee on the part of the Senate on the bill under consideration. Carried.

Mr. McNutt asked for leave of absence for Mr. Jeffries. Granted.

On motion, the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Thompson moved that the report of Dr. Maxwell, Surgeon-at-large be taken from the table. Carried.

Mr. Thompson moved that the report be referred to a committee of 5, Mr. Hurst, Chairman. Carried.

The Speaker appointed as said committee, Messrs. Hurst, Sears, Van Sandt, Fenn and Davis.

The hour for special order having arrived, the House resolved itself into committee of the whole, Mr. Russell of Jones, in the chair.

The committee rose, reported progress, and asked leave to sit again at 10 o'clock to-morrow morning.

On motion, the report was adopted.

Mr. Bromley, by leave, offered the following resolution, which on motion, was adopted:

WHEREAS, The 4th Regiment of Iowa Volunteers has re-enlisted as veterans, and is expected to arrive at the Capitol next Monday, and a public reception by the citizens is proposed to be given to it. Therefore:

*Be it Resolved, by the General Assembly of the State of Iowa,* That a committee of five, three on the part of the House, and two on the part of the Senate, be appointed to take into consideration the propriety of this Legislature taking action in regard to such reception, and prepare and present to the General Assembly, if deemed advisable, by said committee, such course of action as they shall think appropriate for the occasion.

On motion, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
SATURDAY, March 5th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. T. McCague.

Journal of yesterday read and approved.

#### PETITIONS AND REMONSTRANCES.

Mr. Hildreth presented the petition of John Mahara and 260 others, asking for a License Law. Referred to committee on Intemperance.

Mr. Darby presented the remonstrance of J. C. Kelso and others, of Madison county, remonstrating against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Andrews of Keokuk, presented two petitions from the citizens of Keokuk county, asking for a License Law. Referred to committee on Intemperance.

Mr. Gose presented the petition of A. W. Rouse and others, of Marion county, asking that the number of members of Boards of Supervisors may be fixed at three in each county. Referred to Select committee on House File No. 123.

#### REPORTS OF COMMITTEES.

Mr. Magill, from Railroad committee, to whom was referred joint resolution forming branch of Pacific Railroad from Monona, reported the same back with an amendment; recommending its adoption, and the passage of the resolution as amended.

Mr. Oliver moved that the amendment be adopted.

Mr. Horton moved that the joint resolution; memorial and amend-

ments, he referred to a select committee of six, one from the line of each of the East and West Railroads in this State. Carried.

The Speaker appointed as said committee, Messrs. Horton, Johnson, McNutt, Oliver, Richards and Brown.

## MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the honorable House of Representatives that the Senate has adopted the memorial and joint resolution of the House, asking Congress for a grant of land to aid in the construction of a Railroad from McGregor westward to the Missouri River, without amendment.

And has concurred in the House amendment to a joint resolution of the Senate asking Congress to grant bounties to soldiers disabled in the service of the United States.

The Senate has also concurred in the House amendment to the title of House substitute for Senate File No. 5, "A bill for an Act to provide for the payment of taxes and the interest and principal of the School Fund in Treasury notes, &c."

The Senate has also passed File No. 51, "A bill for an Act to amend Chap. 98 of the Revision of 1860, in relation to homesteads."

Senate File No. 63, "A bill for an Act supplemental to an act of the 9th General Assembly, entitled an act for the better protection of the School Fund.

Senate File No. 103, "A bill for an Act defining further duties for the Recorder of Deeds and County Treasurer, and his compensation."

Senate File No. 192, "A bill for an act to allow the County Board of Supervisors of any organized county to assume the payment of any obligation heretofore executed by the Trustees of any Township for the construction of bridges, streets or highways.

Senate File No. 201, "A bill for an Act authorizing Joseph Hayne, the Recorder of Wapello county to transcribe records in his office," and has adopted the following joint resolution relation to the per diem of the offices of the 10th General Assembly:

*Resolved, by the Senate, the House concurring,* That the per diem allowance of the officers of the Senate and House of Representatives, during the present session, shall be as follows, to wit:

Secretary of the Senate and Chief Clerk of the House, each	\$6 00
2d Assistant Secretary of the Senate, and 2d Assistant Clerk of the House, each	5 00
Engrossing and Enrolling Clerks, and Fireman of the Senate, each	4 00
Sergeant-at-Arms and Door Keepers, each	3 00
Firemen of the House, each	3 00
Messengers and Paper Folders, each	2 50
Postmasters, each	4 00

Carrying the mail and bridge toll..... 2 50  
 Firemen and Superintendent of Committee Rooms..... 8 00

In all of which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

Mr. Merriam, by leave, submitted the following report:

The committee of Ways and Means to whom was referred House File No. 22, "A bill for an Act making a further appropriation to the Asylum for the Blind," have instructed me to report the same back to the House, and recommend that the same pass, with the following amendments, viz.: Amend the seventh line of Sec. 1, by inserting after the word "houses," the following: "Area wall." Also amend Sec. 3, by filling the blank with the words "Iowa homestead."

The select committee to whom was referred House File No. 43, "A bill for an Act to separate the offices of Recorder and Treasurer, and making the County Judge the Recorder of Deeds," have had the same under consideration, and have instructed me to report it back to this House, with the following substitute bill, with the unanimous recommendation that it do pass.

STURGIS, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Spurrier introduced House File No. 141, "A bill for an Act providing for the taxation of the property of railroad corporations." Read a first and second time, and referred to committee on Ways and Means.

Mr. Joy introduced House File No. 142, "A bill for an Act entitled an act to legalize the levy and collection of certain taxes within the corporate limits of Sioux City." Read a first and second time, and referred to committee on Judiciary.

The hour for special order having arrived, the House resolved itself into committee of the whole, Mr. Russell of Jones in the chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock.

Report adopted.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the honorable House of Representatives, that the Senate has adopted the concurrent resolution of the House relating to a joint committee of the two Houses, to consider the propriety of acting with the citizens of Des Moines in tendering a public reception to the veterans of the 4th Regiment

of Iowa Infantry, and that Senators Moore and Outler have been appointed such committee on the part of the Senate.

WM. F. DAVIS, Sec. Senate.

The Speaker appointed as committee on concurrent resolution in relation to the 4th Iowa Infantry, Messrs. Bromley, Andrews of Keokuk, and McCall.

On motion, the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The hour having arrived for special order, on motion of Mr. Moir, the House resolved itself into committee of the whole, Mr. Wolf in the chair.

The committee rose, reported progress, and asked leave to sit again on Monday morning at 10 o'clock.

On motion, the report was adopted.

On motion of Mr. Van Sandt, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
MONDAY, March 7, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Dr. Peet.

Journal of Saturday read and approved.

Mr. McNutt asked for leave of absence for Mr. White. Granted.

#### PETITIONS AND MEMORIALS.

Mr. Latham presented the preamble and resolutions from Keosauqua Soldiers' Aid Society, in reference to sanitary affairs. Referred to committee on Sanitary Affairs.

Mr. Burke presented the remonstrance of N. M. Smith and others, of Bremer county, against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Wear presented the remonstrance of A. H. Neidigh and others, of Linn county, against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Penn presented the petition of Wm. Porter and others, praying for the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

#### REPORTS OF COMMITTEES.

MR. SPEAKER:—The joint committee on Enrolled Bills beg leave to report that they have examined Senate File No. 5, find the same correctly enrolled, and present it for your signature.

ALEX. RUNYON,

Chairman Committee on Enrolled Bills.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the honorable House of Representatives that the Senate has passed Senate File No. 160, "A bill for an Act to amend an act entitled An Act to change and fix the time of holding court in the 7th Judicial District."

Senate File No. 206, "A bill for an Act to authorize the Treasurer of the State University to loan the permanent fund of said University at an interest of not less than eight per cent. per annum," in which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

#### MESSAGES AND COMMUNICATIONS.

Senate File No. 51, "A bill for an Act to amend Chap. 98 of the Revision of 1860, in relation to Homesteads," was taken up, read a 1st and 2d time and referred to committee on Judiciary.

Senate File No. 108, "A bill for an Act defining further duties for the Recorder of Deeds and Treasurers, and his compensation, was taken up, read a 1st and 2d time and referred to committee on Ways and Means.

Senate File No. 63, "A bill for an Act supplemental to the act of the 9th General Assembly, entitled 'an Act for the better protection of the School Fund,'" was taken up, read a 1st and 2d time and referred to committee on Schools and Universities.

Senate File No. 192, "A bill for an Act to allow the County Board of Supervisors of any organized county, to assume the payment of any obligation heretofore executed by the Trustees of any township for the construction of Bridges, Streets or Highways," read a 1st and 2d time and referred to committee on County and Township organization.

Senate File No. 201, "A bill for an Act authorizing Joseph Hayne, the Recorder of Wapello County, to transcribe Records in his office," read a 1st and 2d time and referred to committee on County and Township organization.

The Senate Resolution, relating to the per diem allowance of the officers of the General Assembly, was taken up and read.

Mr. Finkbine moved to amend the report by striking out the word "§3" as compensation of Firemen of the House and insert "§4." Carried.

Mr. Andrews moved to strike out the words "Two dollars and fifty cents," (compensation of paper folders,) and insert "three dollars." Carried.

Mr. Bereman moved that the pay of the Janitor of committee rooms be the same as the fireman of the House and Senate. Carried.

Mr. Finkbine moved that the vote by which the pay of the fireman was raised to four dollars per day, be reconsidered. Carried.

On motion, the whole matter was referred to committee of Ways and Means.

Mr. McNutt asked for leave of absence for Mr. Andrews of Decatur. Granted.

Mr. Bereman asked for leave of absence for Mr. Streeter, the Sergeant-at-Arms, until two o'clock, P. M. Granted.

The hour for special order having arrived, the House resolved itself into committee of the whole, Mr. McNutt in the chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock, P. M.

The report was adopted.

Senate File No. 160, "A bill for an Act to amend an act entitled 'An Act to change and fix the time of holding court in the 7th Judicial District,'" was taken up, read a 1st and 2d time.

Mr. Bereman moved that the rule be suspended, the bill read a 3d time and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Cort, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Glendenning, Green, Gose, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Jey, Johnson, King, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—73.

The nays were none.

Absent or not voting, Messrs. Andrews of Decatur, Burke, Brown, Carbee, Christoph, Close, Dorr, Garrett, Galland, Gilchrist, Hildreth, Jeffries, Knox, Lathrop, Moir, McKnight, Stiles, Thompson and White.

The bill passed, and the title was agreed to.



## MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the honorable House of Representatives, that the Senate has adopted the following report of the joint committee of the two Houses, to make arrangements for tendering a public reception to the veterans of the 4th Regiment of Iowa Infantry, in which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary Senate.

The joint committee to whom was referred the joint resolution relative to the reception of the veterans of the Fourth Iowa Infantry on their return to this city, have had the same under consideration, and directed me to report.

That in the opinion of your committee, it is right and proper that the members of this General Assembly, representing the loyal and patriotic people of the State, who have given up their fathers, brothers and sons to swell the ranks of an army, that for three years has battled for God and the right; to heartily co-operate with the citizens of Des Moines, in their reception of the war-scarred veterans, as representatives of Iowa soldiers. And your committee, believing that the members of this General Assembly, honoring as they do, the brave men of our State, who have so nobly and gallantly linked the name of Iowa with all that is dear to us as a nation, should thus publicly express their appreciation of the services of that noble regiment; they have instructed me to report the following joint resolution, and recommend its adoption:

WHEREAS, we have learned that the veterans of the Fourth Iowa Infantry have re-enlisted for three years, or during the war, and that they are now on their way to this city on furlough, to enjoy for a short time the blessings of the domestic circle, and that the citizens of Des Moines are preparing to give them a proper reception; and deeming it our duty as their representatives, to express our appreciation of their gallantry and their services in the suppression of the rebellion; therefore be it

*Resolved by the General Assembly of the State of Iowa,* That we have watched with pride and admiration, the 4th Iowa Infantry, as step by step they have borne the ensign of the free on the memorable fields of Pea Ridge, Chickasaw Bayou, Arkansas Post, Jackson, Vicksburg siege and assault, Cherokee, Caney Creek, Tuscumbio, Lookout Mountain, Missionary Ridge and Ringgold, and in their long and weary marches, enduring all the privations and hardships of a soldier's life, they have toiled on and fought for home, kindred and country, until the mute graves of their comrades in arms, point in sadness to the remnant of brave men, who have honored their State, and added to the glory of the nation.

*Resolved,* That in the re-enlistment of the veterans of said regiment, we have the strongest evidence of their attachment to the

principles of civil liberty; and that their love of country is paramount to all other considerations, and entitles them to the lasting honor and gratitude of those whose firesides have been protected by their arms.

*Resolved*, That as a token of our confidence and regard for the distinguished services of that regiment, we will adjourn and attend as a body, the reception of the veterans on their return to this city.

*Resolved*, That the Governor be requested to present them with a copy of these resolutions, and on behalf of the members of this General Assembly bid them welcome to the Capitol of the State, whose honor they have kept so successfully untarnished.

On motion, the message was taken up.

Mr. Fenn moved that the report be concurred in. Carried.

Senate File No. 206, "A bill for an Act to authorize the Treasurer of the State University to loan the permanent fund of said University at an interest of not less than eight per cent. per annum," was taken up, read a first and second time, and referred to committee on Schools and University.

On motion, the House adjourned.

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Two o'clock P. M.

House met pursuant to adjournment.

Mr. Runyon submitted the following report:

MR. SPEAKER:—The joint committee on Enrolled Bills beg leave to report that they have examined "Memorial to Congress for Grant of Lands to aid in constructing a Railroad from McGregor, on the Mississippi river, westward," find the same correctly enrolled, and present it for your signature.

ALEX. RUNYON, Chairman.

Mr. Paulk, by leave, called up House File No. 94, "A bill for an Act to amend an act entitled an act for the government and regulation of the State University of Iowa," and moved to substitute for Sec. 5, the following:

"The compensation of the Trustees shall be governed by the provision of Sec. 1719 of the Revision of 1860."

The motion prevailed.

Mr. Hildreth moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Cort, Olose, Darby, Davis, Fenn, Fry,

Finkbine, Garrett, Green, Goss, Hildreth, Hixson, Horton, Harst, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCorinack, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—87.

The nays were Messrs. Bereman, Olose, Clark and Fuller—4.

Absent or not voting Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Burke, Christoph, Dorr, Elliott, Galland, Glendenning, Gilchrist, Hale, Helm, Jeffries, Lindley, McMaken, McCall, McKnight, Parker, Russell of Washington, Skiles and White.

The bill passed and the title was agreed to.

The hour for special order having arrived, the House resolved itself into Committee of the Whole, Mr. McNutt in the Chair.

The committee rose, reported progress, and asked leave to sit again at 10 o'clock to-morrow morning.

On motion, the report was adopted.

Mr. Paulk offered the following resolution, which, on motion, was adopted :

*Resolved*, That after this day, no member of this House shall be under any *obligation* to speak upon the railroad question more than two hours at any one sitting of the House, or Committee of the Whole.

On motion, the House adjourned.

## HALL OF THE HOUSE OF REPRESENTATIVES, } TUESDAY, March 8th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Dr. Peet.

Journal of yesterday read and approved.

Mr. Paulk moved that the vote by which the Senate joint resolution relating to the per diem pay of the officers of this General Assembly, was adopted, be reconsidered. Carried.

### REPORTS OF COMMITTEES.

The committee on the judiciary to whom was referred the claim of Wm. Thos. Carroll, Clerk of the Supreme Court of the United States for \$48.85, have had the same under consideration, and they instruct me to make the following report :

A certain cause originating in Lee County, in this State, wherein the State of Iowa was plaintiff, and one W. H. McPherson was defendant, on an indictment for having in possession or passing counterfeit money, was appealed to the Supreme Court of this State by the defendant, where judgment below was affirmed against him. The defendant caused the same to be certified to the Supreme Court of the United States on a plea that the State Courts had no jurisdiction. What the Supreme Court held is not known to us, but this committee are unanimously of the opinion that the State is not liable in any event for the costs of said clerk; but that the county of Lee, if any one, is liable to him for such costs. They therefore recommend that the same be not allowed.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred House File No. 139, "A bill for an Act to vacate the public Square in the village of Toledo, county seat of Tama county," have had the same under consideration, and they instruct me to report the same back to this House with a recommendation that it do pass.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred Senate File No. 20, "A bill for an Act to amend Sec. 432 of the Revision of 1860," have had it under their consideration, and they recommend that it do pass.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred House File No. 136, "A bill for an Act to regulate the compensation of county Judges and Clerks of the District Court," have had the same under consideration, and they instruct me to report the same back to this House, with a recommendation that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred Senate File No. 129, "A bill for an Act to amend Sec. 4207 of the Revision of 1860," have had the same under consideration, and they have instructed me to report the same back to this House and to recommend that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred Senate File No. 128, "A bill for an Act to repeal a portion of Sec. 4347 of the Revision of 1860," have had the same under consideration, and they have instructed me to report the same back, and recommend that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred Senate File No. 138, "A bill for an Act to amend Chap. 16 of the Revision of 1860, in relation to Notaries Public," have had the same under consideration, and as they are of opinion that most of the provisions therein contained are now substantially the law of this State, they deem it too late in the session to commence to re-enact the law, and they recommend that it do not pass.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred House File No. 137, "A bill for an Act to amend the charter of the city of Cedar Rapids," have had the same under consideration, and they instruct me to report it back and recommend that the said city amend its own charter as provided by Sec. 1141 of the Revision, and that they recommend the bill do not pass.

BEREMAN, Chairman.

MR. SPEAKER :—The joint committee on Enrolled Bills have presented to his Excellency the Governor, for his approval, " memorial to Congress for grant of lands to aid in constructing Railroad from McGregor on the Mississippi river, westward."

A. RUNYON, Chairman.

MR. SPEAKER :—The committee on County and Township organization to whom was referred House File No. 78, "A bill for an Act to repeal Sec. 17 of Chap. 173 of the laws of the 9th General Assembly, and to provide for the collection of taxes in the several counties of this State, by Township Collectors," and House File No. 110, "A bill for an Act to provide for the election of Township Collectors, and to define his powers and duties," have instructed me to report the accompanying substitute therefor, without any recommendation.

Respectfully submitted,

O. NELSON, Chairman.

The committee on Public Lands to whom was recommitted Senate File No. 131, together with a substitute therefor, passed by the Senate, have again had the same under consideration, and have instructed me to report the bill back to the House with the following amendments to the Senate substitute, and as thus amended, to recommend its passage.

Sec. 2. Amended by striking out "seventy-five cents," and insert "one dollar."

Sec. 3. Amended by striking out "two dollars" and inserting "one dollar and fifty cents."

Sec. 4. Amended by striking out "seventy five cents" and insert "one dollar."

JOHN RUSSELL, Chairman.

The committee on Railroads to whom was referred Senate File No. 149, having had the same under consideration, have instructed me to report the same back and recommend its passage.

MAGILL, Chairman.

MESSAGE FROM THE SENATE.

MR. SPEAKER :—I am directed to inform the honorable House of Representatives that the Senate has passed House File No. 74, "A bill for an Act to amend Chap. 57, of the Revision of 1860, without amendment.

The Senate has also refused to concur in the House amendment to the Senate concurrent resolution, directing the publication of the report of Mrs. Anna Wittenmyer, attaching thereto the special message of the Governor.

The Senate has ordered printed 2,000 copies of the report of Mrs. Anna Wittenmyer, State sanitary agent.

The Senate has also passed a substitute for House File No. 11, "A bill for an Act to repeal Chap. 11, of the extra session of the 8th General Assembly, entitled an act for the relief of volunteers who have been or may be mustered into the service of the United States Government."

Senate File No. 101, "A bill for an Act to provide for the redemption of war and defense fund warrants and for appointing a Commissioner to settle claims against the United States, and fixing his compensation."

Senate File No. 143, "A bill for an Act further defining the powers and duties of the Register of the State Land Office, and providing for a Seal.

Senate File No. 99, "A bill for an Act to amend Sec. 1041, of the Revision of 1860."

Senate File No. 212, "A bill for an Act to amend an act entitled an act to change the times of holding courts in the 8th Judicial District," approved February 4th, 1862.

Also the following concurrent resolution :

*Resolved by the Senate, the House concurring,* That the visiting committees to the different State Institutions, be allowed, in full payment for expenses incurred, the mileage paid to the members of the Legislature from the place where such institution is located, to wit :—To the Penitentiary at Fort Madison, \$57 each ; to the Asylum for the Insane, at Mt. Pleasant, \$43.50 each ; to State University and Asylum for the Deaf and Dumb, at Iowa City, \$89 each ; to the Agricultural College and Farm, in Story county, \$12 each ; and that the keeper of the Warehouse be allowed \$3 per day, during the session.

In all of which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary.

## INTRODUCTION OF BILLS.

Mr. Knox introduced House File No. 143, "A bill for an Act to amend Chap. 45 of the Revision of 1860, in relation to revenue," read a 1st and 2d time and referred to committee on Judiciary.

Mr. King introduced House File No. 144, "A bill for an Act to amend Chap. 49 of the laws passed at the regular session of the 9th General Assembly," read a 1st and 2d time and referred to committee on County and Township organization.

Mr. Simpson introduced House File No. 145, "A bill for an Act to provide for the compilation and publication of the Road laws and distribution of the same," read a 1st and 2d time and referred to committee on Roads and Highways.

Mr. Joy introduced House File No. 146, "A bill for an Act entitled an act for the relief of Ambrose S. Mead," read a 1st and 2d time and referred to committee on Claims.

## RESOLUTIONS.

Mr. Merriam offered the following resolution and moved that the rule be suspended and the resolution be adopted. Carried.

*Resolved*, That the Register of the State Land office be requested to inform this House what amount of the 212,741 acres of the land deceded by the State to the Des Moines Navigation and Railroad Company, is now claimed by each of the following Railroad Companies, viz:

Dubuque and Sionx City Railroad Company, Cedar Rapids and Missouri River Railroad Company, Mississippi & Missouri Railroad Company. Also how much of the 58,830 acres of the Des Moines River Lands lying above the Racoon Fork sold by the State to different persons, is now claimed by each of said Railroad Companies. Also that said Register be requested to inform this House what amount of the 50,000 acres of the land resumed by the State to pay the claims against the Des Moines Navigation and Railroad Company is claimed by the Dubuque & Sioux City Railroad Company or their grantees.

Mr. Finkbine moved that the rule be suspended and House File No. 21, "A bill for an Act to provide for the support of the Asylum for the blind," and the substitute offered by the committee to whom the bill was referred, be taken up. Carried.

On motion of Mr. Finkbine, the substitute was adopted.

Mr. Runyon moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were, Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fry,

Fuller, Finkbine, Garrett, Green, Gose, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—78.

The nays were none.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Galland, Glendenning, Gilchrist, Hale, Jeffries, Lathrop, Lindley, Meissner, McKnight, Russell of Washington and White.

The bill passed and the title was agreed to.

Mr. Helm, by leave, called up House File No. 139, "A bill for an Act to vacate the public square in the village of Toledo, county seat of Tama county, and moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Green, Gose, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Johnson, King, Latham, Lathrop, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, McMaken, McNutt, McCall, McCormack, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson, Van Sandt, Weare, Wolf and Mr. Speaker—72.

The nays were, Messrs. Moir, McKnight, Nelson, Oliver, Russell of Washington and Vinton—6.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Galland, Glendenning, Gilchrist, Jeffries, Joy, Knox, Logan, Lindley, Meissner, Stiles and White.

The bill passed and the title was agreed to.

Mr. Magill moved to postpone special order fifteen minutes. Carried.

Mr. Magill, by leave, called up Senate File No. 149, "A bill for an Act authorizing railroad companies to issue preferred stock, and to change the name of such companies," and moved that the bill be read a third time by its title, and put upon its passage.

Mr. Oliver moved to amend Sec. 1 as follows: Strike out the word "stockholders," and insert the words, "the holders of two-thirds in amount of the stock;" and amend Sec. 2 as follows: Add after the word "holders," in eighth line, the words, "of two-thirds in amount of." Lost.

The question recurring on the motion that the bill be read a third time and put upon its passage, it was decided in the affirmative.



On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bereman, Bruce, Bromley, Bell, Baylies, Burke, Brown, Carbee, Clark, Darby, Davis, Fry, Finkbine, Green, Hale, Helm, Horton, Holdridge, Joy, Johnson, King, Latham, Logan, Lyons, Magill, Maxwell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, Parker, Paulk, Pritchard, Potter, Russell of Washington, Runyon, Sanderson, Sears, Sturgis, Stiles, Stanton, Skiles, Spurrier, Thompson, Weare, Wolf and Mr. Speaker.—50.

The nays were Messrs. Andrews of Keokuk, Buckham, Carey, Campbell, Cort, Close, Day, Elliott, Fuller, Garrett, Gose, Hixson, Knox, Littler, Lindsay, Merriam, Mills, Munsell, McKnight, O'Brien, Russell of Jones, Richards, Simpson, Smith, Sweet, Van Sandt and Vinton—27.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Fenn, Galland, Glendenning, Gilchrist, Hildreth, Hurst, Jeffries, Lathrop, Lindley, Meissner, Perry, and White.

The bill passed and the title was agreed to.

Mr. Bromley offered the following resolution, which was adopted:

*Resolved, by the General Assembly of the State of Iowa, That Col. Williamson, of the 4th Iowa Infantry, be requested to parade his command in front of the State House, on Wednesday next, at a quarter past 2 o'clock, to attend a reception by the State Legislature, and that we adjourn promptly at that hour.*

BROMLEY, for Committee.

Mr. Russell, of Washington, moved that the special order be postponed until 2 o'clock P. M. Lost.

The hour for special order having arrived, the House resolved itself into committee of the whole, Mr. McNutt in the chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock, P. M. Report adopted.

Mr. Hixson, by leave, offered the following resolution:

WHEREAS, It is reported to the House of Representatives of the State of Iowa, that one of the officers of the House, to wit: A. P. Burrhus elected jointly by the Senate and House of Representatives to the office of postmaster, has violated the election laws of the State by voting in a precinct in the city of Des Moines, to which he was not entitled by law; and

WHEREAS, It is reported and believed that he, the said Burrhus, voted against, or scratched the name of, a justly esteemed citizen of Des Moines from the ticket voted for by the loyal and Union citizens, thus giving aid and comfort to a political party in every sense at war with the votes of the Representatives who elected the said Burrhus to the said office of postmaster; and

WHEREAS, As a just and proper vindication of our integrity, and

of our hearty sympathy with all men everywhere, who, unhesitatingly and without an "if," desire to sustain the government and institutions of our country; therefore be it it

*Resolved by the House of Representatives, the Senate concurring,* That a committee of three on the part of the House, be appointed to unite with such committee as the Senate may appoint; to investigate all the facts in the case, and report to this House as soon as practicable.

Mr. Gose moved that the resolution be laid on the table, on which motion the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Carey, Cort, Green, Gose, Joy, McCormack, McKnight, O'Brien, Paulk, Pritchard, Richards and Sturgis—12.

The nays were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Hale, Hixson, Helm, Hurst, Holdridge, King, Latham, Logan, Littler, Lindsay, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Parker, Perry, Potter, Russell of Washington, Runyon, Sanderson, Sears, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—63.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Galland, Glendenning, Gilchrist, Hildreth, Horton, Jeffries, Johnson, Knox, Lindley, Lathrop, Oliver, Russell of Jones, Simpson and White.

The motion did not prevail.

Mr. Wolf moved to amend by striking out the second paragraph of the preamble. Lost.

On motion, the resolution was adopted.

House File No. 22, "A bill for an Act making a further appropriation to the Asylum for the Blind," was taken up, with the amendments offered by the committee.

On motion, the amendments were adopted.

Mr. Merriam moved that the rule be suspended, the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Green, Gose, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Joy, Johnson, King, Latham, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell

of Washington, Richards, Runyon, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—76.

The nays were none.

Absent or not voting, Messrs. Andrews of Decatur, Cort, Christoph, Dorr, Galland, Glendenning, Gilchrist, Hildreth, Jeffries, Knox, Lathrop, Lindley, McCormack, Russell of Jones, Simpson and White.

The bill passed and the title was agreed to.

Mr. Parker, by leave, called up Senate File No. 64, "A bill for an Act to amend Chap. 175, acts of the 9th General Assembly, at its regular session," with the amendments recommended by the committee to whom the bill was referred.

On motion, the amendments were adopted.

Mr. Andrews of Keokuk, moved that the bill be read a 3d time by its title, and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Garrett, Green, Gose, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Joy, Johnson, King, Latham, Logan, Littler, Lindsey, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, Parker, Paulk, Pritchard, Potter, Russell of Washington, Runyon, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf and Mr. Speaker—71.

The nays were Messrs. Hildreth, Lyons, O'Brien, Perry, Richards and Vinton—6.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Finkbine, Galland, Glendenning, Gilchrist, Jeffries, Knox, Lathrop, Lindley, Moir, Russell of Jones, Simpson and White.

The bill passed, and the title was agreed to.

On motion the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Bereman moved that the vote by which House File No. 139, "A bill for an Act to vacate the public square in the village of Toledo, county seat of Tama county," was passed, be reconsidered. Carried.

Mr. Bereman moved that the vote by which the bill was ordered to a 3d reading, be reconsidered. Carried.

Mr. Bereman moved that the bill be indefinitely postponed. Carried.

The hour for special order having arrived, the House resolved itself into Committee of the Whole, Mr. McNutt in the Chair.

The committee rose, reported progress, and asked leave to sit again to-morrow morning at 10 o'clock.

On motion, the report was adopted.

On motion, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
WEDNESDAY, March 9th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Dr. Peet.

Journal of yesterday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Sweet presented the petition of Wm. G. Springer and others, of Iowa county, praying for an appropriation for the relief of Wm. G. Springer. Referred to committee on Claims.

Mr. Green presented the remonstrance of John Watson and others, against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

The Speaker presented the remonstrance of the Soldiers' Aid Society of Marion, Linn county, against the repeal of Chap. 36, of the laws of the State of Iowa, in relation to the duties of Mrs. Annie Wittenmyer, &c. Referred to committee on Sanitary Affairs.

Mr. Lyons presented the remonstrance of Willet Dorland and others, of Henry county, against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Buckham asked for leave of absence for Mr. Hale. Granted.

REPORTS OF COMMITTEES.

MR. SPEAKER:—The committee of Ways and Means, to whom was referred the concurrent resolution from the Senate, fixing the per diem of the officers of the General Assembly, would report the following substitute, and a majority of said committee recommend the adoption thereof.

MERRIAM, for the Committee.

*Resolved, by the House of Representatives, the Senate concurring,* That the per diem allowance of the officers of the General Assembly during the present session, shall be as follows, viz.:

Secretary of the Senate.....	\$6 00
Chief Clerk of the House.....	6 00
Assistant Clerks, each.....	5 00
Engrossing and Enrolling Clerk, each.....	4 00
Sergeant-at-Arms, each.....	4 00
Door-keeper.....	3 00
Fireman and Janitor.....	3 00
Postmasters.....	3 00
Carrying Mail.....	2 00
Messengers.....	2 50
Paper Folders.....	2 50

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the honorable House of Representatives that the Senate has adopted the following concurrent resolution:

**WHEREAS,** It is currently reported that A. P. Burrhus, Postmaster of this General Assembly, did, on the 7th inst., illegally exercise the elective franchise in the corporation election of the city of Des Moines; and, whereas, it is due to this General Assembly, and to the accused, that the charges should be investigated; therefore

*Resolved, by the Senate, the House of Representatives concurring,* That a committee of two on the part of the Senate, and three on the part of the House, be appointed to investigate such charge, and whether said Burrhus voted for any person who was not a Union candidate, and report to the General Assembly what action is necessary to be had in the premises; and that if said committee deem it necessary they have power to send for persons and papers, and that Senators Henderson and McOrary of Lee, have been appointed such committee on the part of the Senate.

The Senate has also concurred in the resolution of the House relating to Col. Williamson's command.

And has receded from its amendments to Sections 1 and 2, of House File No. 90, "A bill for an Act to abolish the Board of Education of the State of Iowa, to provide for the election of a Superintendent of Public Instruction, and for other purposes."

And has passed House File No. 129, "A bill for an Act fixing the times of holding Courts in the 4th Judicial District, and attaching certain counties in said District to others for judicial purposes," without amendment.

And has passed Senate File No. 116, "A bill for an Act in relation to the guardianship of minors."

Senate File No. 142, "A bill for an Act to facilitate the construction and operation of Railroads in the State of Iowa."

Senate File No. 118, "A bill for an Act authorizing the Trustees of the State University to sell the Saline lands, and for other purposes."

In which the concurrence of the House is respectfully asked.

The Senate has also concurred in the House amendment to Senate File No. 52, "A bill for an Act appropriating money for the State Library."

And has indefinitely postponed Substitute for House File No. 91, "A bill for an Act authorizing and requiring the several County Treasurers in this State to invest certain monies of the State in United States Revenue Stamps and regulating the sale thereof."

Also House File No. 123, "A bill for an Act to provide for the appointment of Sanitary Agents, and define their duties and to provide for their compensation."

WM. F. DAVIS, Sec. Senate.

The question recurring on the motion to adopt the report of the committee on Ways and Means, Mr. Russell of Washington, moved to amend by striking out "the compensation for carrying the mail."

Mr. Stiles moved to strike out \$3 for door keeper and insert \$4.

Mr. Moir moved that the whole matter be laid upon the table. Carried.

Mr. Moir called up the Senate resolution relating to Post Master.

Mr. Russell of Jones, moved to concur in the Senate resolution. Carried.

The Speaker appointed as said committee on the part of the House Messrs. Moir, Hixson and Littler.

The committee on Claims to whom was referred the claim of Michael Donelan, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House and recommend that said claim be not allowed.

MOIR, Chairman.

Mr. Bunyon moved to recommit the claim to the committee. Carried.

The committee on Claims to whom was referred the claim of C. & L. Harbach, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House and recommend that \$20 of the same be allowed, and that the committee on Ways and Means be instructed to make provision for the payment of the same in the general appropriation bill.

MOIR, Chairman.

Adopted.

The Committee on Claims to whom was referred the claim of Flet Drummond, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House and recommend that said claim be not allowed.

MOIR, Chairman.

Adopted.

The committee on Claims to whom was referred the claim of J. H. Sanders for three days services as clerk pro tem., \$18, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House and recommend that he be allowed for two days services at \$5 per day, \$10, and that the committee on Ways and Means make provision for the payment of the same.

MOIR, Chairman.

Report adopted.

Mr. Weare moved to reconsider. Lost.

The committee on Schools and University, to whom was referred Senate File No. 63, have had the same under consideration, and instruct me to report the bill back and recommend the following amendments, to wit:

Section 1st, strike out "January and July," and insert "February and November."

Section 10th, twenty-first line, strike out "three years" and insert "eighteen months."

Section 13th, last line, strike out "annually," and insert, "on the first day of January each year."

And that the bill with the foregoing amendments do pass.

HILDRETH, Chairman.

The committee on Printing, to whom was referred House File No. 100, entitled "A bill for an Act amendatory of Sec. 313, of Chap. 22, of the Revision of 1860, recommend the adoption of the following amendment, to wit:

After the words "fifty cents per square," in Section 1, add the words, "of ten lines of brevier type, or its equivalent," and that, with said amendment, the bill do pass.

S. McNUTT, Chairman.

MR. SPEAKER:—The select committee to whom was referred House File No. 132, "A bill for an Act to amend Chap. 22, of the Revision of 1860, in relation to County Boards of Supervisors," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House, with a substitute, and to recommend that the substitute do pass.

JOHNSON, Chairman.

Mr. Bereman, by leave, offered the following resolution, which was referred to committee on Claims:

WHEREAS, A. T. Auld, J. B. Hart, W. W. Pangburn, and others, citizens of the State of Iowa, claim that they were induced to enlist in the service of the United States, in the 37th Regiment of Iowa Infantry Volunteers, under the assurance that they would be accepted and mustered, notwithstanding that they were under the age of forty-five years; and

**WHEREAS**, They claim that they were mustered into such service by Capt. Hendershott, on the 15th of December, 1862, and that they served faithfully in said regiment for seven or eight months, and were stricken from said rolls without having received any pay therefor; therefore be it

*Resolved*, By the General Assembly, that the Board of Auditing Commissioners be authorized and required to examine said claims, and, if found just, and correct, and meritorious, they shall audit and allow the same, and draw their warrants for the amount found due, as in other cases.

## INTRODUCTION OF BILLS.

Mr. Skiles introduced House File No. 147, "A bill for an Act to amend Sec. 2 of Chap. 15 of the acts of the regular session of the 9th General Assembly," read a 1st and 2d time and referred to committee on Ways and Means.

## RESOLUTIONS.

Mr. Paulk offered the following resolution, which on motion, was adopted:

*Resolved*, That the Rev. Mr. Magoun be requested to repeat his Lecture on "The Future of Iowa, as dependent upon Emigration and Education," in the Hall of Representatives on Friday evening. Also to deliver his lecture on "Sir Walter Raleigh," in said Hall, on Saturday evening next.

Mr. Paulk offered the following resolution:

**WHEREAS**, It is currently reported that certain officers of the General Assembly have illegally voted at the late municipal election in this city, and

**WHEREAS**, The names of certain of said officers appear on the poll books of one or more wards in said city, Therefore

*Be it Resolved, by the General Assembly*, That a committee of two from the Senate and three from the House be appointed to inquire into and investigate said charges with power to send for persons and papers, with instructions to report at an early day.

Mr. Hildreth moved to lay the resolution on the table. Lost.

Mr. Russell of Washington, moved that the special order be postponed for ten minutes. Carried.

The question recurring on the motion to adopt the resolution of Mr. Paulk, it was decided in the negative.

Mr. Smith presented the claim of John A. Kirchner for \$197.00 for trees which were cut out of his timber to build the Block House and Stockade at Peterson, Iowa, for protection against Indians. Referred to committee on Claims.

Also the following resolution:

*Be it Resolved by the General Assembly of the State of Iowa*, That the Auditing Board be directed to audit and allow the account due



to claimants, who furnished materials for the construction of a Stockade in the fall of 1862 at Spirit Lake, Dickenson County in this State for the protection of settlers against the attacks of hostile Indians. Referred to committee on Claims.

Mr. Fry moved that there be printed 2,000 copies of the Governor's Message on sanitary affairs, for the use of this House.

Mr. Russell, of Washington, moved that the special order be suspended for fifteen minutes. Carried.

The communication of Mrs. Wittenmyer, relating to sanitary affairs was read.

Mr. Bereman offered the following as a substitute for the resolution of Mr. Fry:

*Resolved*, That there be printed for the use of this House, two thousand copies of the special message of Gov. Wm. M. Stone, in answer to certain interrogatories in regard to sanitary affairs, together with a like number of Mrs. Annie Wittenmyer's letter in answer to said interrogatories, to be bound in the same volume.

Adopted.

Mr. Weare moved to amend, by adding the words, "also the annual report of Mrs. Annie Wittenmyer, made to the Governor."

Mr. Paulk moved that the special order be suspended for the day. Carried.

Mr. Bereman asked for leave of absence for Mr. McCormack. Granted.

The question recurring on the motion of Mr. Weare, it was decided in the affirmative.

The motion to print as amended, prevailed.

Mr. Magill moved that the bill be suspended, and the ship-canal bill be taken up. Lost.

Mr. Spurrier moved that the rule be suspended, and that House File No. 90 be taken up. Lost.

#### MESSAGES AND COMMUNICATIONS.

Senate substitute for House File No. 11, "A bill for an Act to repeal Chap. 11 of the acts of the extra session of the 8th General Assembly, entitled an Act for the relief of volunteers who have been or may be mustered into the service of the United States Government," was taken up, read a first and second time, and referred to committee on Military Affairs.

Senate File No. 101, "A bill for an Act to provide for the redemption of war and defense fund warrants, and for appointing a commissioner to settle claims against the United States, and fixing his compensation," was taken up, read a first and second time, and referred to committee on Ways and Means.

Senate File No. 143, "A bill for an Act further defining the duties and powers of the Register of the State Land Office, and provi-

ding for a Seal," was taken up, read a first and second time, and referred to committee on Public Lands.

Senate File No. 199, "A bill for an Act to amend Sec. 1041, of the Revision of 1860," was taken up, read a first and second time, and referred to select committee on bill relating to City Incorporations.

Mr. Bereman, by leave, introduced House File No. 148, "A bill for an Act to make valid the proceedings of the corporate authorities of cities and towns, the acts of officers thereof, and the levy of taxes therein."

Senate File No. 212, "A bill for an Act to amend an act entitled an act to change the time of holding courts in the 8th Judicial District," was taken up, and read a first and second time.

On motion of Mr. Runyon, the bill was read a third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Buckham, Baylies, Brown, Carey, Oampbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Green, Gose, Hildreth, Helm, Horton, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paunk, Perry, Pritchard, Potter, Richards, Runyon, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—68.

The nays were none.

Absent or not voting, Messrs. Andrews of Decatur, Bell, Burke, Christoph, Dorri, Galland, Glendenning, Gilchrist, Hale, Hixson, Jeffries, Littler, Lindley, Meissner, Moir, McCormack, McKnight, Russell of Jones, Russell of Washington, Sanderson, Sears, Simpson, Thomson and White.

The bill passed and the title was agreed to.

The Senate concurrent resolution, relating to expenses of visiting committees to Asylum and Penitentiary, was taken up.

Mr. Hildreth moved to lay the resolution on the table. Lost.

Mr. Bereman moved that the resolution be referred to committee of Ways and Means. Carried.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the honorable House of Representatives that the Senate has passed Senate File No. 229, "A bill for an Act to provide for the publication of an Act of this 10th General Assembly, regulating the fees of District Attorneys," in which the concurrence of the House is respectfully asked.

W.M. F. DAVIS, Secretary of Senate.

Mr. Russell, of Washington, offered the following resolution, which was adopted:

*Resolved*, That the Clerk of this House is instructed to request the honorable Senate to furnish the House with the statement and vouchers referred to in Mrs. Wittenmyer's answer to resolutions as accompanying that document.

Senate File No. 222, "A bill for an Act to provide for the publication of an Act of this 10th General Assembly, regulating the fees of District Attorneys," was taken up and read a first and second time.

Mr. Magill moved that the rule be suspended, the bill read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bereman, Bruce, Bromley, Buckham, Baylies, Brown, Carey, Carbee, Cort, Clark, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Green, Hixson, Horton, Hurst, Holdridge, Joy, Johnson, King, Latham, Lathrop, Logan, Lindsay, Lyons, Magill, Maxwell, Mills, Munsell, Moir, McMakeu, McNutt, McCall, McKnight, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Skiles, Spurrier, Sweet, Weare, Wolf and Mr. Speaker—61.

The nays were Messrs. Andrews of Keokuk, Campbell, Glose, Day, Garrett, Hildreth, O'Brien, Russell of Jones, Smith and Vinton—10.

Absent or not voting, Messrs. Andrews of Decatur, Bell, Burke, Christoph, Dorr, Galland, Glendenning, Gose, Gilchrist, Hale, Helm, Jeffries, Knox, Littler, Lindley, Merriam, Meissner, McCormack, Thompson, Van Sandt, and White.

The bill passed, and the title was agreed to.

Mr. Bromley moved that the vote by which the invitation to the Rev. Mr. Magoun to lecture in this Hall on Friday evening was passed, be reconsidered. Lost.

On motion, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

#### REPORTS OF COMMITTEES.

MR. SPEAKER:—The Joint Committee on Enrolled Bills beg leave to report that they have examined House File No. 74 and Senate

Files Nos. 52 and 160, find the same correctly enrolled and present them for your signature.

A. RUNYON, Chairman.

Mr. Berreman called up House File No. 148, "A bill for an Act to make valid the proceedings of the corporate authorities of cities and towns, the acts of officers thereof, and the levy of taxes therein," read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Cort, Close, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Green, Hixson, Helm, Horton, Hurst, Joy, Johnson, King, Knox, Lathrop, Littler, Lindsey, Merriam, Magill, Mills, Munsell, Moir, McMaken, McCall, McCormack, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Wolf and Mr. Speaker—65.

The nays were Messrs. Bell, Burke, Hildreth, Holdridge, Lyons, McNutt, Nelson, Vinton and Weare—9.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Clark, Dorr, Galland, Glendenning, Gose, Gilchrist, Hale, Jeffries, Latham, Logan, Lindley, Maxwell, Meissner, McKnight, and White.

The bill passed and the title was agreed to.

Mr. Day asked for leave of absence for Mr. Logan. Granted.

Mr. Magill moved that Senate File No. 95, "A bill for an Act to provide for the preliminary survey of a ship canal route," &c., be taken up. Carried.

Mr. Russell, of Jones, moved that the amendments recommended by the committee to whom the bill was referred, be adopted.

Mr. Baylies moved to amend amendments as follows:

*Provided further*, That the improvement, by ship canal, of the upper and lower rapids of the Mississippi river, should, as an act justice to the whole State, be urged by our delegation in Congress either in connection with a bill for a ship canal from the lakes to the Mississippi river, or as an independent measure, as by them may be deemed best for the interest of the State.

Mr. Magill moved the previous question, which was seconded.

On the question, "Shall the main question be put?" it was decided in the affirmative.

The question recurring on the motion to adopt the amendment offered by Mr. Baylies, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were, Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Campbell, Carbee, Close, Clark,

Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Garrett, Gose, Hixson, Helm, Horton, Hurst, Johnson, King, Knox, Littler, Lindsey, Lyons, Munsell, McMaken, Paulk, Potter, Russell of Washington, Runyon, Sears, Simpson, Stiles, Skiles, Spurrier, Sweet, Thomson, Wolf and Mr. Speaker—44.

The nays were, Messrs. Burke, Brown, Carey, Cort, Finkbine, Green, Hildreth, Holdridge, Joy, Lathrop, Merriam, Magill, Mills, Moir, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Russell of Jones, Richards, Sanderson, Sturgis, Stanton, Smith, Van Sandt, Vinton and Weare.—82.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Galland, Glendenning, Gilchrist, Hale, Jeffries, Latham, Logan, Lindley, Maxwell, Meissner, McNutt, McKnight and White.  
The motion prevailed.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
THURSDAY, March 10th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Thompson Bird.

Journal of yesterday read and approved.

Mr. Sanderson moved the House take up Senate File No. 95, "A bill for an Act to provide for the preliminary survey of a Ship Canal route from the State of Iowa eastward to the Illinois river.

Mr. Stiles moved that the special order be postponed until 10½ o'clock.

Mr. Hildreth moved to amend by striking out 10½ o'clock" and inserting "2 o'clock." Carried.

The question recurring on the motion to postpone until 2 o'clock, was decided in the affirmative.

PETITIONS AND MEMORIALS.

Mr. Vinton presented the petition of E. H. Hall and others, of Chickasaw County, praying for a change in the School Law. Referred to committee on Schools and Universities.

Mr. Pritchard presented the petition of Robert Clark and others, praying for an act legalizing the acts of Judge McFarland, in appointing commissioners. Referred to committee on Judiciary.

Mr. Hixson presented a memorial of the Society of Friends of Mahaaka County, asking that the Militia Law may be modified so as to respect their conscientious scruples against bearing arms, &c.

Referred to a select committee of three, consisting of Messrs. Hixson, Bereman and Munsell.

Mr. Bereman presented a petition of Joshua Smith and others of Henry County, praying for a more stringent Liquor Law. Referred to committee on Intemperance.

#### REPORTS OF COMMITTEES.

The committee of Ways and Means, to whom was referred the concurrent resolution from the Senate, fixing the allowance to the visiting committees of the several State Institutions, and the keeper of the warehouse, have instructed me to report the same back to the House, with a recommendation that the House concur in said resolution.

MERRIAM, for committee.

The report was adopted.

The committee on Schools and University, to whom was referred House File No. 87, "A bill for an Act to provide for the collection of money due the permanent school fund of the State of Iowa," have considered the same, and instructed me to report it back with the recommendation that it pass.

HILDRETH, Chairman.

MR. SPEAKER:—The committee on Agriculture, to whom was referred "Joint resolution providing for Trustees of Agricultural College and Farm," have had the same under consideration, and have instructed me to report back to the House, and to recommend that said Trustees be elected in joint convention of both branches of the General Assembly, and that they be elected by ballot.

H. M. THOMSON, Chairman.

The report was adopted.

The committee of conference, to whom was referred House File No. 90, "A bill for an Act to abolish the Board of Education of the State of Iowa, to provide for the election of a Superintendent of Public Instruction, and for other purposes," beg leave to make the following report, to-wit:

1st. That the Senate recede from its amendment to Sec. one.

2d. That Section two of the House bill, as well as the amendment thereto of the Senate, be stricken out, and the following enacted instead thereof:

Sec. 2. A Superintendent of Public Instruction shall be elected by the General Assembly, who shall hold his office for the term of two years, and until his successor is elected and qualified.

3d. That the House recede from its non-concurrence with Senate amendment of Section eight.

All of which is respectfully submitted.

A. B. F. HILDRETH,  
Chairman House Com.  
N. BOARDMAN,  
Chairman Senate Com.

The Joint Committee of the two Houses appointed to inquire whether A. P. Burrhus, Post Master of the General Assembly voted illegally at the recent municipal election in the city of Des Moines, and also whether he voted for any person not a Union candidate for office, have had the same under consideration, and have taken the testimony of witnesses, and beg leave to submit the following report:

Your committee are unanimously of the opinion that the said A. P. Burrhus did vote illegally at the said election, but a majority of your committee believe that he did not intentionally violate the law, and that he believed himself entitled to vote.

The said Burrhus claims his residence in Des Moines, and there was no evidence before your committee of a contrary intent, but his residence is of only 58 or 59 days duration. It is but just to say that he claims to have counted the day of the election as one of the 60 days residence required by law, supposing it legal to do so.

Your committee also find unanimously, that the said Burrhus voted for one Morris for Mayor, of Des Moines, he the said Morris not being a Union candidate, and that he the said Burrhus also erased from his ticket the name of W. H. Leas who was the Union or Republican candidate. A majority of your committee believe that the voting for Morris was intentional, and not through mistake.

And your committee believing that it is not the desire of a majority of this General Assembly to continue to keep in office, and to bestow patronage upon any person after being advised that he has cast his vote *against* a loyal candidate, and *for* the candidate of a party organized in hostility to the administration in this time of national peril, beg leave to submit the accompanying resolution, and recommend its passage.

W. J. MOIR, of the House,  
GEO. M. McCRARY, of the Senate.

Joint resolution for the removal of A. P. Burrhus from the office of Post Master of the General Assembly.

*Be it Resolved by the General Assembly of the State of Iowa, That A. P. Burrhus be and he is hereby removed from the office of Post Master of the General Assembly.*

#### BURRHUS' STATEMENT.

Burrhus staid at Peoria in this county, on Friday night, 8th Jan. 1864.

*Question.*—Were you not challenged at the 6th Ward, and what did you tell the Board?

*Answer.*—I told them I came about the first of January. Before I voted, from my count I made out that I had been here 60 days, and am now of the same opinion. I don't remember the name of the House in Peoria at which I staid. It was the right hand of the street in which I came. I voted the Union ticket.

*Question.*—Did you vote it without scratching?

*Answer.*—I scratched off the first name. I did not insert any name for Mayor. I did not intend to vote for Mayor.

*Question.*—Where did you obtain the ticket you voted?

*Answer.*—I do not know where I got it. I did not have any personal feeling against either candidate for Mayor. I did not expect to vote until noon, when Mr. Hildreth asked me whether I was not going to vote. He told me I was entitled to vote, and had better do so. Several Republican tickets had been handed me with the Mayor's name in it crossed off. I have always been recognized as being a Republican, and have uniformly acted with the party.

*Question.*—Are you sure the name of Morris was not on the ticket voted?

*Answer.*—Am not sure, but was under the impression it was not; at least it was not my intention to vote for Morris.

*Question.*—When challenged, did not one of the members of the Board say to you that if you voted you would have to be sworn?

*Answer.*—I expressed my willingness to take the oath and did so.

*Question.*—Was the oath read to you previous to being administered?

*Answer.*—Yes. I asked to know what it was, and was informed of the law on the subject.

*Question.*—Did you know that any of the tickets you had in your possession had the name of Leas erased and Morris inserted?

*Answer.*—I did not. Several tickets had been given me with Leas' name erased.

Burrhus stated that others had voted and he thought he had as good right to do so as they. It was his intention to scratch off Leas' name but not to vote for Morris. Republicans had told him that they were voting against Leas over the river. He did not know any of the names of Republicans who asked him to scratch Leas' name.

*Mr. Helm Called.*

*Question.*—How long have you known Burrhus?

*Answer.*—One year since January. He lived in Indiantown, Tama County. His character I never heard anything against. He was considered a clever man, and always counted a Republican.

*Dr. A. B. Hall Sworn.*

Was one of the judges of the election in the 6th Ward.

*Question.*—Did Mr. Burrhus vote there?

*Answer.*—He did; he voted on the 7th of this month, a little before 6 P. M.

*Question.*—Do you know for whom he voted?

*Answer.*—It is a hard question to answer, but I will detail circumstances of it. Mr. Garten, a voter, came up just before Burrhus. A ticket was handed him; he looked over it, folded it up and put it in. I think he swore in his vote. Through the day I was ap-



prised that several of the attaches of the General Assembly were going to vote. When Burrhus came up Mr. Rich challenged his vote. I asked him if he had been in the county sixty days. He said he had. I asked him if he had been in the ward ten days. He answered yes. I read him the oath and had him sworn, and then his vote was taken. Previous to taking Garten's vote all the ballots had been taken out and Garten's and Burrhus' tickets were all that were afterwards given at our precinct. One vote was a straight out Republican ticket, the other was one of the same character with the exception that on it the name of W. H. Leas was stricken out or erased and the name of Absalom Morris inserted, and I was of the opinion that Burrhus voted that ticket.

*Dr. Brooks Sworn.*

He had but little to add to what Dr. Hall had stated. I was one of the judges of the election and read the votes; finished counting out the votes 15 minutes before 5 P. M., and was waiting for the time to come to close the polls. Garten came up and was to us a stranger. Voris, one of our board, handed Garten a Republican ticket. Dr. Hall wanted him to have one of the Democratic tickets. He objected to taking the Doctor's ticket; looked over the ticket given him by Voris, and folded it up and voted after being sworn. In a short time after Mr. Burrhus came up in his wagon. Mr. Poorman gave him a ticket. Burrhus took a ticket out of his pocket and voted it, I think. One ticket, the one Garten voted, was clean and smooth, and one was rumpled up and erased. I agree with Dr. Hall about the way in which he gave the statement about Burrhus' vote. I believe that Burrhus voted the ticket that had the name of Leas erased and Morris inserted. I saw the ticket that Garten voted from the time it was given him until he voted, and that ticket was not scratched, but was a straight-out Republican ticket.

*D. Poorman Sworn.*

I staid around the polls all day; my business was to check off names of voters and make myself useful in getting voters to the polls, &c. I saw Burrhus come up; I pulled out a ticket and handed him one; he asked for a pencil. He then took the ticket and put it up against the wall, and seemed to be writing on the ticket. While writing, I saw him have what I concluded was a Democratic ticket, and then scratching the ticket, I thought, which I gave him. He was challenged, and then swore in his vote, and when the tickets were counted out, the remark was general that the ticket which was scratched was the one that Burrhus voted. Harry Rich challenged Burrhus' vote, and the man with Burrhus punched Harry Rich, as much as to say to him, "Let Burrhus alone, he is all right." But Harry Rich did not take the hint, but held on to the challenge.

*Griffith Sworn.*

Was clerk, and the election being close, anxiety was manifested, and each party had friends with lists of their respective voters outside who furnished tickets and checked off votes, &c. After all parties supposed the votes had been cast, the votes were all counted out. Subsequently, and contrary to our expectation, others came to vote. Mr. Garten came up to vote, a stranger to us all. After close inquiry, he was allowed to vote, after being sworn. He knew the ticket that Garten voted, for he saw him take the ticket from Mr. Voris; saw him while he had it looking it over; and saw him fold and hand it in; and that ticket was an unscratched Republican ticket. Burrhus came up afterwards, was challenged, and, after being sworn, was permitted to vote. These two were all the tickets in the box. One was a straight-out Republican ticket, and so was the other, with the exception of the erasure and insertion before named. Spoke of having a conversation subsequently with Mr. Garten about whether he had scratched the ticket; he firmly denied having scratched the ticket. When Mr. Garten came up, he asked for a ticket, and Mr. Voris handed him one.

*Hildreth's Statement.*

He stated that in the morning of the election day, inside or near the post office in the capitol, he stated to Burrhus that if there were any persons about the State House that were voters, they ought to go and vote. Mr. Burrhus stated that he had been here sixty days, and this was to be his home, &c., and then Hildreth stated that if this was so, he ought to go and vote.

Mr. Campbell moved that the report and resolution be adopted.

Mr. Maxwell moved that the whole matter be laid on the table.  
Lost.

## MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the honorable House of Representatives, that the Senate has adopted the following concurrent resolution upon the recommendation of the joint committee of investigation:

*Be it Resolved by the General Assembly of the State of Iowa, That A. P. Burrhus be, and he is hereby removed from the office of Postmaster of the General Assembly.*

In which the concurrence of the House is asked.

WM. F. DAVIS, Secretary Senate.

Mr. Russell of Jones, moved that the question under consideration be laid on the table, and that the message just received from the Senate be taken up. Carried.

Mr. Russell of Jones, moved that the Senate joint resolution be concurred in.

On which question the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Buckham, Bromley, Baylies, Brown, Campbell, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Green, Hale, Hildreth, Hixson, Horton, Holdridge, Joy, Knox, Latham, Littler, Lindley, Lindsey, Lyons, Merriam, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Potter, Russell of Jones, Russell of Washington, Sanderson, Sears, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Wolf and Mr. Speaker—58.

The nays were Messrs. Bell, Carey, Cort, Helm, Hurst, Lathrop, Magill, Maxwell, McCormack, McKnight, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Runyon, Sturgis, Vinton and Weare.—21.

Absent or not voting, Messrs. Andrews of Decatur, Burke, Carbee, Christoph, Dorr, Glendenning, Gose, Gilchrist, Jeffries, Johnson, King, Logan and White.

The motion prevailed.

Mr. McNutt offered the following resolution:

*Be it Resolved by the House of Representatives, the Senate concurring,* That Theodore Gulich be, and he is hereby appointed postmaster to this General Assembly, during the remainder of this session, at a compensation of four dollars per day; and that he be authorized to employ a mail carrier at a per diem of two dollars per day.

The resolution was adopted.

Mr. Davis offered the following resolution, which was adopted:

*Resolved,* That the record of examination, with the testimony before the Joint Committee to investigate the charges against the postmaster of this Assembly, be spread upon the Journal.

Mr. Fry, by leave, introduced House File No. 149, "A bill for an Act to amend Sec. 6, Chap. 36 of the laws of the extra session of the 9th General Assembly," read a 1st and 2d time and referred to committee on Sanitary Affairs.

Mr. Russell of Jones, introduced House File No. 150, "A bill for an Act further defining the duties of the agents of Fire Insurance Companies," read a 1st and 2d time and referred to select committee on Life Insurance.

Mr. Sears, by leave, introduced House File No. 151, "A bill for an Act fixing the salaries of County Recorders," read a 1st and 2d time and referred to committee on County and Township Organization.

Mr. Magill, by leave, introduced House File No. 152, "A bill for an Act to enable incorporated towns and cities to acquire, hold, improve, and dispose of lands for public squares, parks and commons, exempting the same from taxation," read a 1st and 2d time and

referred to select committee on Bill relating to Municipal Incorporations.

Mr. Spurrier, by leave, introduced House File No. 153, "A bill for an Act to amend Secs. 1741 and 1742 of the Revision of 1860, which is amendatory to Chap. 158 of the acts of the 6th General Assembly, entitled An Act for the encouragement of agriculture," read a 1st and 2d time and referred to committee on Agriculture.

Mr. Russell of Jones, by leave, moved that the further consideration of the Ship Canal Bill be resumed. Carried.

The question recurring on the motion to adopt the amendment to Sec. 2, as amended, was decided in the negative.

Mr. Paulk moved to reconsider the vote just taken.

Mr. Baylies moved that the motion to reconsider, be laid on the table. Lost.

On motion of Mr. Weare, the House adjourned.

## TWO O'CLOCK P. M.

Mr. Finkbine moved that the special order be postponed until the Ship Canal Bill be disposed of. Carried.

The question recurring on the motion to reconsider the vote by which the amendments suggested by the committee to the Ship Canal Bill was passed.

The yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bruce, Bromley, Buckham, Burke, Brown, Carey, Cort, Close, Fenn, Fuller, Finkbine, Green, Hildreth, Holdridge, Joy, Merriam, Magill, Maxwell, Munsell, Moir, McMaken, McCall, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Sears, Simpson, Sturgis, Stanton, Smith, Spurrier, Vinton and Weare—39.

The nays were Messrs. Bereman, Bell, Baylies, Campbell, Carbee, Clark, Day, Darby, Davis, Elliott, Fry, Garrett, Gose, Hixson, Helun, Horton, Hurst, Johnson, Knox, Lathrop, Littler, Lyons, Meissner, McNutt, McCormack, Potter, Russell of Jones, Runyon, Sanderson, Stiles, Skiles, Sweet, Thompson, Van Sandt, Wolf and Mr. Speaker—36.

Absent or not voting Messrs. Andrews of Keokuk, Andrews of Decatur, Christoph, Dorr, Galland, Glendenning, Gilchrist, Hale, Jeffries, King, Latham, Logan, Lindley, Lindsey, Mills, Russell of Washington and White.

The motion prevailed.

Mr. Paulk moved to reconsider the vote by which the amendment of Mr. Baylies was adopted. Carried.

Mr. Richards moved that Mr. Baylies amendment to the amendment be adopted, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bell, Baylies, Campbell, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Hurst, Johnson, Knox, Littler, Munsell, Russell of Washington, Sanderson, Stiles, Skiles, Sweet, Thompson, Van Sandt, and Wolf—25.

The nays were Messrs. Bruce, Bromley, Buckham, Burke, Brown, Carey, Carbee, Cort, Close, Fuller, Finkbine, Garrett, Green, Gose, Hildreth, Hixson, Helm, Horton, Holdridge, Joy, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sears, Simpson, Sturgis, Stanton, Smith, Spurrier, Vinton, Weare and Mr. Speaker—55.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Galland, Glendenning, Gilchrist, Hale, Jeffries, King, Mills, McKnight and White.

The motion did not prevail.

On motion, the amendment offered by the committee was adopted.

Mr. Magill moved that the bill be read a third time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bromley, Buckham, Burke, Brown, Carbee, Cort, Darby, Fuller, Finkbine, Garrett, Green, Gose, Hildreth, Helm, Horton, Holdridge, Joy, Latham, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Thomson, Van Sandt, Vinton, Weare and Mr. Speaker—55.

The nays were Messrs. Bereman, Bruce, Bell, Baylies, Carey, Campbell, Close, Clark, Day, Davis, Elliott, Fenn, Fry, Hixson, Hurst, Johnson, Knox, Littler, Lindley, Munsell, Moir, McMaken, McCormack, Stiles, Sweet and Wolf—25.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Galland, Glendenning, Gilchrist, Hale, Jeffries, King, Mills and White.

The bill passed, and the title was agreed to.

## MESSAGE FROM THE SENATE.

MR. SPEAKER :—I am directed to inform the honorable House of Representatives, that the Senate has passed House File No. 6, "A bill for an Act empowering counties to offer bounties on scalps of wild animals," with the accompanying amendments.

House File No. 71, "A bill for an Act to amend Secs. 4145 and 4147 of the Revision of 1860," without amendments, and has passed a memorial to Congress, asking for an appropriation for the location of a military and wagon road up the valley of the Niobrara river to Gallatin in Idaho Territory.

Senate File No. 100, "A bill or an Act to amend Sec. 1, Chap. 154 of the acts of the 9th General Assembly."

Senate File No. 193, "A bill for an Act to regulate the levy and collection of certain taxes."

In all of which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Sec. Senate.

Mr. Perry, by leave, introduced House File No. 154, "A bill for an Act to legalize the acts of James Hull, a Notary Public of Howard county," read a 1st and 2d time and referred to committee on Judiciary.

Mr. Sears, by leave, introduced House File No. 155, "A bill for an Act fixing the compensation of Future General Assemblies," read a 1st and 2d time and referred to committee on Ways and Means.

Mr. Holdridge, by leave, introduced House File No. 156, "A bill for an Act to change the names of counties," read a 1st and 2d time and referred to committee on Judiciary.

The hour for special order, having arrived the House resolved itself into Committee of the Whole, Mr. Joy, in the Chair.

The committee rose and reported progress.

Mr. Magill moved that the bill under consideration be made special order for to-morrow at 10 o'clock. Carried.

On motion of Mr. Horton, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
FRIDAY, March 11th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Thompson Bird.

Journal of yesterday read and approved.

Mr. Hildreth, by leave, called up House File No. 90, "A bill for an Act to abolish the Board of Education of the State of Iowa, to provide for the election of Superintendent of Public Instruction, and for other purposes," and moved that the amendment to Sec. 8 be concurred in. Carried.

Mr. Hildreth moved that the bill be read a third time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Green, Hale, Hildreth, Hixon, Helm, Horton, Hurst, Holdridge, Jey, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Merriam, Maxwell, Mills, Meissner, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Spurrier, Sweet, Thompson, Vinton, Weare, Wolf and Mr. Speaker—75.

The nays were none.

Absent or not voting, Messrs. Andrews of Decatur, Burke, Christoph, Dorr, Galland, Glendenning, Gose, Gilchrist, Jeffries, Lindley, Magill, McKnight, Paulk, Russell of Washington, Skiles, Van Sandt and White.

The bill passed and the title was agreed to.

#### PETITIONS AND DEMONSTRANCES.

Mr. Holdridge presented the petition of D. B. Sanford and others, of Buchanan county, praying for a Registration Law. Referred to committee on Elections.

#### REPORTS OF COMMITTEES.

The committee on Claims, to whom was referred the petition of Wm. G. Springer and others, asking the Legislature to pass a law making an appropriation to pay the said Springer \$200, for money expended by him in a contested election case, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House, and recommend that the prayer of the petitioners be not granted.

MOIR, Chairman.

The report was adopted.

The committee on Claims, to whom was recommitted the claim of Michael Donelan, beg leave to report that they have had the same under consideration, and a majority of said committee have instruct-

ed me to report the same back to this House, and recommend that said claim be not allowed.

MOIR, Chairman.

Report adopted.

The committee on Claims, to whom was referred the claims of L. Robinson and Samuel Miller, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House, and state that in the opinion of the committee the claimants should present their claims through the commissioner appointed to investigate the claims against J. D. Eads, and recommend that said claims be allowed to be withdrawn without prejudice.

MOIR, Chairman.

Report adopted.

Mr. Russell of Jones, from Committee on claims, reported on the bill of J. J. A. Simmington, recommending the claim be allowed, and the claim be referred to committee of Ways and Means.

Report adopted.

#### REPORTS OF SELECT COMMITTEES.

The Select Committee to whom was referred House Files No. 102 and 150, relating to Life Insurance Companies, beg leave to report that they have had the same under consideration, and after an examination of the general insurance laws of the State, find that the same are imperfect and incomplete, and that in their opinion the interests of the people of the State demand a more full and perfect law regulating insurance companies, generally. They have therefore instructed me to report the following substitute, and recommend its passage.

E. N. STILES, Chairman.

Substitute bill read 1st and 2d time by its title and ordered printed.

The special committee to whom was referred House File No. 57, "An Act to amend Sec. 711 of Chap. 45 of the Revision of 1860," have had the same under consideration, and have instructed me to present the following substitute, and recommend that it do pass.

S. B. LINDSEY, Chairman.

McNutt offered the following resolution:

*Resolved by the House of Representatives, the Senate concurring,* That this General Assembly, do adjourn *sine die* on the 29th of March inst.

Mr. Bereman moved to amend by striking out 29th and inserting 22d. Lost.

The question recurring to adopt the resolution, the yeas and nays were demanded and ordered, resulting as follows:



The yeas were Messrs. Andrews of Keokuk, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Close, Glark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Green, Gose, Hale, Hixson, Helm, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindaey, Lyons, Mills, Munsell, Moir, McMakee, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton and Mr. Speaker—68.

The nays were Messrs. Bereman, Bruce, Cort, Hildreth, Horton, Merriam, Magill, Maxwell, Meissner, Parker, Richards, Weare and Wolf—13.

Absent or not voting, Messrs. Andrews of Decatur, Burke, Christoph, Dorr, Galland, Glendenning, Gilchrist, Jeffries, McKnight, Potter and White.

The resolution was adopted.

Mr. Spurrier offered the following resolution:

*Resolved*, That each speech in this House, in the future, shall be limited to twenty minutes, except by unanimous consent it may extend to thirty minutes, but in no case any longer.

Mr. Moir moved that the rule be suspended. Carried.

Mr. Moir moved to amend by excluding the Committee of the Whole.

Mr. Lyons moved to amend by striking out "20 minutes" and insert "10 minutes."

Mr. Littler moved that the special order be suspended 15 minutes. Lost.

On motion, the House resolved itself into Committee of the Whole, Mr. Joy in the chair.

The committee rose, reported progress, and asked leave to sit again at 2 o'clock this P. M.

On motion, the report was adopted.

On motion of Mr. Nelson, the House adjourned.

Two o'clock, P. M.

House met pursuant to adjournment.

The hour for special order having arrived, the House resolved itself into committee of the whole, Mr. Joy in the chair.

The committee rose and reported progress.

Mr. Oliver moved that the substitute bill offered by Mr. Magill be adopted.

## MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the honorable House of Representatives that the Senate has concurred in the House resolution, fixing the date of final adjournment.

WM. F. DAVIS, Sec. Senate.

On motion, a call of the House was ordered.

The clerk proceeded to call the roll.

Absent without leave, Messrs. Burke Hale, Runyon and Sanderson.

Mr. Russell of Washington, moved that the further proceedings under the call be dispensed with. Lost.

Mr. Helm moved that Mr. Runyon be excused. Lost.

The Sergeant-at-arms was directed to bring in the absentees.

Mr. Russell of Washington, moved to adjourn. Lost.

Mr. Weare moved that further proceedings under the call be dispensed with. Lost.

Mr. Maxwell moved to adjourn. Lost.

Mr. Moir moved that further proceedings under the call be dispensed with. Carried.

The question recurring on the motion to adopt the Substitute Bill, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bromley, Bell, Burke, Brown, Carbee, Cort, Close, Darby, Fenn, Finkbine, Hildreth, Hixson, Helm, Holdridge, Johnson, King, Lathrop, Logan, Magill, Maxwell, Mills, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Sanderson, Sears, Simpson, Sturgis, Stanton, Skiles, Spurrier, Sweet, Thomson, Vinton and Weare—44

The nays were Messrs. Andrews of Keokuk, Bereman, Bruce, Buckham, Baylies, Carey, Campbell, Clark, Day, Davis, Elliott, Fry, Fuller, Garrett, Galland, Green, Gose, Horton, Hurst, Joy, Knox, Latham, Littler, Lindley, Lindsey, Lyons, Merriam, Meissner, Munsell, McCormack, McKnight, Potter, Russell of Jones, Russell of Washington, Stiles, Smith, Van Sandt, Wolf and Mr. Speaker—39.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Glendenning, Gilchrist, Hale, Jeffries, Runyon, and White. The motion prevailed.

Mr. Magill moved to amend the ninth line of the preamble, as follows: Add after the words, "Dubuque and Pacific Railroad Company," the words, "now the Dubuque and Sioux City Railroad Company."

The motion prevailed.

Mr. Bell moved to strike out of second line of Sec. 1, the word "sixty" and insert the word "ninety."

The motion prevailed.

Mr. McNutt offered the following as a substitute for Sec. 2:

Sec. 2. For all lands so relinquished as above, the Governor of the State of Iowa shall direct the Register of the State Land Office to set apart and certify to the railroad company relinquishing the same, an equal number of acres of the land known as the "indemnity lands," granted to the State of Iowa by act of Congress, approved July 12th, 1862; *Provided*, That none of said "indemnity lands" shall be certified to such company until a court of competent authority shall have adjudged that such railroad company had a legal right and claim to the lands relinquished, as provided in the first section of this act; *And provided further*, That no land shall be certified under the provisions of this Act to the Cedar Rapids and Missouri River Railroad Co. until the said company shall have fully complied with the provisions of Sections 6 and 7 of Chap. 37 of the acts of the 8th General Assembly of the State of Iowa, approved March 26th, 1860, and all other provisions of said acts, except as the same are herein changed or modified.

Mr. Oliver moved to strike out the first proviso of the amendment, and the words "and further," in the second proviso. Carried.

Mr. Bereman moved to further amend the amendment by adding the words:

*And provided further*, That this State shall not hereafter be liable, in any manner, to any of said railroad companies, in case it shall ever be held that this State had no authority to make this application of such indemnity lands for any such failure in any title thereto; but such companies shall take them at their own risk.

Mr. Finkbine moved to amend the amendment by adding the words:

*And provided further*, That no lands shall be certified to the said Cedar Rapids and Missouri River Railroad Company, until the said Company shall file a relinquishment with the Auditor of State of all claims upon the State that may hereafter arise by reason of a conflict of title to 120 sections of land between the said Company and the Iowa Central Air Line Railroad Company, to which said land was first granted:

On the motion to adopt the amendment to the amendment, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Green, Gose, Hildreth, Hixson, Helm, Hurst, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards,

Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—79.

The nays were Messrs. Horton, Moir, Oliver and Paulk—4.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Glendenning, Gilchrist, Hale, Jeffries and White.

The motion prevailed.

Mr. Bereman's amendment was adopted.

Mr. Bereman moved that the vote by which the motion of Mr. Oliver, striking out the first proviso of the amendment offered by Mr. McNutt, was carried, be reconsidered.

On motion of Mr. Russell, of Washington, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
SATURDAY, March 12th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Thompson Bird.

Journal of yesterday read and approved.

Mr. Horton submitted the following report:

MR. SPEAKER:—The committee on Enrolled Bills beg leave to report that they have examined Senate Files No. 149, 222 and 212, find them correctly enrolled and present the same for your signature.  
HORTON, Chairman.

Mr. Pritchard asked for leave of absence for Mr. Runyon. Granted.

MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the honorable House that the Senate has passed the following bills, to-wit:

Senate File No. 225, "A bill for an Act requiring clerks of District Courts to certify to applications for pensions and other purposes, and regulate fees for the same.

Also House File No. 67, "A bill for an Act to amend Secs. 3362 and 3363 of the Revision of 1860," without amendment.

I am also directed to inform your honorable Body that the Senate has concurred in the House Resolution, appointing Theodore Gulick postmaster of this General Assembly, and authorizing him to employ a mail carrier.

WM. F. DAVIS, Sec. Senate.

Mr. McCormack, by leave, presented the petition of Henry P. Scholte of Marion County, praying for an amendment in the revenue law, &c. Referred to committee on Ways and Means.

Mr. Moir moved that the rule be suspended and substitute for House File No. 112 "A bill for an Act to resume certain lands, interests, rights, powers and privileges granted to the State of Iowa by the United States, and by the State of Iowa conditionally conferred upon certain Railroad companies," be taken up.

The motion prevailed.

The question recurring on the motion of Mr. Bereman to reconsider the vote by which Mr. Oliver's amendment was adopted, Mr. Bereman, by leave, withdrew his motion.

Mr. Paulk moved to suspend the order of business and take up the message on the table. Carried.

#### MESSAGES AND COMMUNICATIONS.

Senate File No 86, "A bill for an Act making appropriation for and directing the erection of an Agricultural College," was taken up, read a 1st and 2d time and referred to committee on Ways and Means.

Senate File No. 108, "A bill for an Act providing for the erection of an Arsenal building," was read a 1st and 2d time and referred to committee on Ways and Means.

Senate File No. 139, "A bill for an Act making a further appropriation for the Hospital for the Insane," was read a 1st and 2d time and referred to committee on Ways and Means.

Senate File No. 195, "A bill for an Act for the improvement of the State Penitentiary," was read a 1st and 2d time and Referred to committee on Ways and Means.

Senate File No. 158, "A bill for an Act making an appropriation for a new building for the Iowa State University," was read a 1st and 2d time and referred to committee on Ways and Means.

Senate File No. 105, "A bill for an Act to permanently locate the Asylum for the Deaf and Dumb, and to provide a building for the same," was read a 1st and 2d time and referred to committee on Ways and Means.

Senate File No. 100, "A bill for an Act to amend Sec. 1, Chap. 154 of the acts of the 9th General Assembly," was read a 1st and 2d time and referred to committee on Judiciary.

Senate File No. 113, "A bill for an Act authorizing the Trustees of the State University to sell the saline lands, and for other purposes," was read a 1st and 2d time and referred to committee on Schools and Universities.

Senate File No. 116, "A bill for an Act in relation to the guardianship of minors," was read a 1st and 2d time and referred to committee on Judiciary.

Senate File No. 142, "A bill for an Act to facilitate the construction and operation of Railroads in the State of Iowa," was read a 1st and 2d time and referred to committee on Railroads.

## MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the honorable House of Representatives that the Senate has passed House File No. 17, "A bill for an Act for the relief of Catharine Morris, sister of Edward Morris."

House File No. 148, "A bill for an Act to make valid the proceedings of the corporate authorities of cities and towns, the acts of officers thereof and the levy of taxes therein," without amendment.

Senate File No. 108, "A bill for an Act providing for the erection of an Arsenal building."

Senate File No. 158, "A bill for an Act making an appropriation for a new building for the Iowa State University."

Senate File No. 105, "A bill for an Act to permanently locate the Asylum for the Deaf and Dumb, and provide a building for the same."

Senate File No. 139, "A bill for an Act making a further appropriation for the Hospital for the Insane."

Senate File No. 86, "A bill for an Act making an appropriation for, and directing the erection of an Agricultural College."

Senate File No. 195, "A bill for an Act for the improvement of the State Penitentiary."

And the following resolution:

*Resolved, by the General Assembly of the State of Iowa, That the Auditor is authorized and required, with the advice and assistance of the Attorney General, to take such steps on the part of the State as in his opinion may best insure the collection of the money due the State on notes and mortgages, taken by Jas. D. Eads, and turned over to the State.*

In all of which, the concurrence of the House is respectfully asked.

The Senate has also concurred in the House amendments to Senate File No. 95, a bill relating to the preliminary survey for a Ship Canal.

WM. F. DAVIS, Sec. Senate.

The following communication from the Secretary of State relating to State Geological survey, was taken up and read.

STATE OF IOWA,  
OFFICE OF SECRETARY OF STATE, }  
MARCH 10th, 1864.

*Hon. Jacob Butler, Speaker of the House of Representatives:*

In obedience to the annexed resolution, the undersigned has the honor of submitting the following facts:

1st. By reference to Chap. 83 of Acts of the 5th General Assembly, a State Geologist was appointed, and the sum of \$2,500 was annually appropriated to carry into effect the provisions of said chapter.

2d. In Chap. 103 of the Acts of the 6th General Assembly, the sum of \$10,000 was appropriated "to aid in the further prosecution of the geological survey of the State, to be expended under the direction of the Governor."

3d. By joint resolution of the 6th General Assembly, the Governor was directed to procure the printing of two thousand copies of said report, and to draw his warrant on the State Auditor for the expense.

4th. Sec. 20, Chap. 161, of the laws of the 7th General Assembly, appropriated the further sum of \$5,000 for the continuation of the geological survey of the State.

5th. By reference to joint resolutions 2 and 3, passed at the 7th General Assembly, approved February 12th and 24th, 1858, the General Assembly will see that provision was made for the distribution of said reports among the members of the 6th and 7th General Assemblies, and to certain persons therein named.

6th. Sec. 7th, Chap. 125, of the Acts of the 8th General Assembly, appropriates the sum of \$2,309.58, to meet a deficiency existing in the appropriations for a geological survey.

7th. The reports aforesaid have been distributed according to the order of the General Assembly—there being none now in the care of the Secretary of State.

8th. The records in my office do not show what amount has been paid for printing said reports, nor can I find anything in the Auditor's Office showing whether the work has been stereotyped, and if so, in whose possession the plates are now. Neither do the books show who paid for the plates used in illustrating the work, it appearing that the whole matter has been arranged under the direction of the Governor.

Very respectfully,

JAMES WRIGHT, Secretary of State.

#### RESOLUTION OF INQUIRY.

*Resolved*, That the Secretary of State is hereby requested to inform this House how many copies of the Iowa Geological Reports have been printed; the cost of said printing; in what manner the reports were distributed; how many copies remain on hand; whether the work was stereotyped, and, if so, in whose custody are the stereotype plates; at whose expense the engravings for illustrating the work were made, and in whose possession the engravings remain at the present time.

HILDRETH.

The following communication from the Register of the State Land Office was taken up and read :

## STATE LAND OFFICE, DES MOINES, IOWA.

*Hon. Jacob Butler,**Speaker of the House of Representatives :*

Dear Sir—I have the honor to acknowledge the receipt of a resolution passed by your Honorable Body, calling for information as to the following facts, to-wit :

1st. What amount of the 212,741 acres of land conveyed by the State to the Des Moines Navigation & Railroad Company, is claimed by each of the following Railroad Companies, to-wit : The "Dubuque & Sioux City," the "Cedar Rapids & Missouri River," and the "Mississippi & Missouri River?"

2d. How much of the 58,830 acres of Des Moines River Lands above the Racoon forks, sold by the State to individual purchasers, is now claimed by each of said Railroad Companies?

3d. What amount of the 50,000 acres reserved by the State to pay the claims against the State on account of the Des Moines River Improvement, is claimed by the Dubuque & Sioux City Railroad Company?

And in reply thereto submit the following statement :

This office has never been furnished with plats of the lines of said Roads, nor of any one of them, nor with maps or lists showing particularly all the land claimed by them. The only lists showing the land claimed, are those furnished by the Commissioner of the General Land Office, certifying to the State for the benefit of the different Roads, such lands as the Commissioner and Secretary of the Interior have decided are subject to the Railroad grant.

There may be, (and I am told there are,) other lands claimed which are not yet passed upon, by the Commissioner. Owing to this fact, and also to the imperfection of the records of this office, I find it impossible to give positive and accurate answers to the questions proposed. However, from a careful examination and comparison of the records and lists in this office, I have compiled the following, which (although not perfect) I trust will be found sufficiently accurate to answer the purpose designed :

D. & S. G. R. R.—Of the lands thus certified, for the benefit of the Dubuque & Sioux City Road, there are, of the 212,741 acres conveyed by the State to the Des Moines Navigation & Railroad Company 49,440 acres.

Conveyed by the State to individuals, none.

Of the 50,000 acres reserved to pay Des Moines River claims, 29, 320 acres.

Whole amount certified within the Des Moines River grant, 78,760 acres.

C. R. & M. R. R.—Of the lands certified for the benefit of the Cedar Rapids & Missouri River Railroad, there are, of the 212,741 acres conveyed to D. N. & R. R. Co., 80,213 acres.



Of the lands sold by the State to individual purchasers, 28,320 acres.

Of lands reserved, none.

Total certified within the Des Moines River grant, 108,533 acres.

M. & M. R. R.—Of the lands thus certified for the Mississippi & Missouri River Railroad, there are of the 212,741 acres conveyed to the D. M. N. & R. R. Co., 14,560 acres.

Of those conveyed by individuals to the State, 15,085 acres.

Total certified for the benefit of this Road within the limits of the Des Moines River Grant, 29,645 acres.

Very respectfully submitted.

J. A. HARVEY, Register.

March 10th, 1864.

Mr. Merriam moved it be laid on the table and ordered printed. Carried.

Substitute for House File No. 6, "A bill for an Act empowering counties to offer bounties on scalps of wild animals," was taken up and read a 1st and 2d time and referred to committee on Agriculture.

The Senate memorial to Congress, asking for an appropriation for the location and construction of a military and wagon road up the valley of the Niobrara river to Gallatin, in Idaho Territory, was taken up, and on motion of Mr. Joy, the House concurred in the memorial.

The consideration of substitute for House File No. 112, was resumed.

The question recurring on the motion to adopt the amendment of Mr. McNutt as amended, Mr. Russell of Jones moved to further amend as follows:

*And provided further*, That no lands shall be certified to the said Cedar Rapids and Missouri River Railroad Company, until said company shall have released to the State certain lands to be applied to aid in the construction of the eastern division of the Iowa Central Air Line Railroad as provided in Sec. 3 of this act, such relinquishment to be filed with the Secretary of State within 90 days from the passage of this act, and to be approved by the Governor.

Mr. Oliver moved a call of the House, which was seconded.

The clerk proceeded to call the roll. No absentees without leave.

The question recurring on the motion to adopt the amendment offered by Mr. Russell of Jones, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Buckham, Baylies, Campbell, Carbee, Clark, Day, Fry, Fuller, Galland, Green, Horton, Hurst, Lindsey, Merriam, Maxwell, Meissner, Munsell, McNutt, McCormack, McKnight, Potter, Russell of Jones, Russell of Washington, Stiles, Van Sandt, Wolf and Mr. Speaker—30.

The nays were Messrs. Bromley, Bell, Burke, Brown, Carey, Cort, Close, Darby, Davis, Elliott, Fenn, Finkbine, Garrett, Gose, Hale, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lyons, Magill, Mills, Moir, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson, Vinton and Weare—54.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Glendenning, Gilchrist, Runyon, Sears, and White.

The motion did not prevail.

Mr. Russell, of Jones, moved to adjourn. Lost.

The question recurring on the motion to adopt the amendment of Mr. McNutt, as amended, it was decided in the affirmative.

Mr. Bereman moved to lay the bill on the table. Lost.

Mr. Gose moved to adjourn. Carried.

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Two o'clock, P. M.

House met pursuant to adjournment.

Mr. Sears called up the resolution of Mr. Spurrier, relating to limiting the time of speaking on questions.

Mr. Davis moved to amend by striking out "twenty" and inserting "fifteen."

Mr. Lyons moved to amend the amendment by striking out "twenty" and inserting "ten." Lost.

The question recurring on the motion to strike out "twenty" and insert "fifteen," it prevailed.

Mr. Moir moved to amend by striking out the word "unanimous." Lost.

The question recurring on the motion to adopt the amendment as amended, it was decided in the affirmative.

The further consideration of substitute for House File No. 112 was resumed.

Mr. Fenn moved to amend Sec. 3 as follows: Strike out the words "actual settlers," in the third and fourth lines," and insert the words, "bona fide purchasers," on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Buckingham, Baylies, Campbell, Clark, Day, Fry, Fuller, Garrett, Green, Gose, Hale, Horton, Hurst, Knox, Latham, Lyons, Meissner, Munsell, McCormack, McKnight, Stiles and Wolf—24.

The nays were Messrs. Bruce, Bromley, Bell, Burke, Brown, Ca-

rey, Carbee, Cort, Close, Darby, Davis, Elliott, Fenn, Finkbine, Galland, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, King, Lathrop, Logan, Littler, Lindley, Lindsay, Merriam, McGill, Maxwell, Mills, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare and Mr. Speaker—60.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Glendinning, Gilchrist, Russell of Washington, Runyon and White.

The motion did not prevail.

Mr. Davis asked for leave of absence for Mr. Russell, of Washington. Granted.

Mr. Maxwell offered the following amendment to section three :

Sec. 3. Each of said Railroad Companies claiming lands above the Raccoon Fork of the Des Moines River, shall, within ninety days, from the passage of this Act, file with the Secretary of State, and to the approval of the Governor, a bond by which they will be obligated to relinquish to all actual settlers, on lands lying within five miles of the Des Moines River, within the limits of the Grant to such Rail Road Company, not exceeding 160 acres to each actual settler who has purchased of the Des Moines Navigation and Railroad Company, or its Grantees, all right and claim to such lands so settled upon, occupied, used or owned by actual settlers ; And in lieu thereof, there is hereby granted to such Railroad Company so relinquished, as above provided, a number of acres of land out of the indemnity lands selected by the State under the act of Congress of July 12th, 1862, as shall equal the number so relinquished under the provisions of this Section.

*And provided further,* That in order that the said Railroad Company may promptly, fully and satisfactorily relinquish to the actual settlers named and provided for in this section, it is hereby made the duty of all and each of said actual settlers aforesaid, to file a statement within one year from the passage of this act, with the county Judge of the counties in which said lands are situated, to which shall be attached an affidavit, together with the affidavits of two disinterested persons, also actual settlers, and knowing to the facts, which said statement shall set forth a full, complete and actual description of the lands claimed, and from whom and when purchased, and either in whole or in part paid for, and said County Judge, shall cause service of notice of the pending of said application in his court, to said Railroad Company, who may appear before him and be heard in the cause, and either party may appeal from his judgment to the District Court of the county in which said lands may be situated, as in other cases.

Mr. Stiles offered the following amendment to the amendment :

Sec. 3. Each of said railroad companies shall, within ninety days from the passage of this act, file with the Secretary of State, and to the approval of the Governor, a relinquishment to the State, for the benefit of all *bona fide* grantees, purchasers in good faith, for a valuable consideration of the Des Moines Navigation and Railroad Company, or its grantees, of all right and claim to such of the lands lying within five miles of the Des Moines river, above the Raccoon Fork thereof, and claimed by said railroad companies to be within the limits of the grant to such companies, and as were claimed by the State under said act of Congress, approved Aug. 8, 1846, and which have been heretofore sold by said Des Moines Navigation and Railroad Company; or its grantees to *bona fide* grantees, purchasers in good faith for a valuable consideration; *Provided*, That said Des Moines Navigation and Railroad Company shall not be included within the provisions of this section, nor entitled to any of its benefits. *And be it further provided*, That for all lands so relinquished by said railroad companies, the Governor of the State shall direct the Register of the Land Office, to set apart and certify to each of said companies so relinquished, an equal number of acres of the land known as "Indemnity Lands," granted to the State of Iowa by act of Congress, approved July 12th, 1862.

The question recurring on the motion to adopt the amendment to the amendment, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Buckham, Baylies, Carey, Campbell, Clark, Day, Davis, Fry, Fuller, Garrett, Galland, Green, Hale, Horton, Hurst, Knox, Latham, Littler, Lindsay, Lyons, Meisner, Munsell, McCormack, McKnight, Potter, Stiles, Wolf and Mr. Speaker—31.

The nays were Messrs. Bromley, Bell, Burke, Brown, Cort, Oose, Darby, Elliott, Fenn, Finkbine, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, King, Lathrop, Logan, Lindley, Merriam, Magill, Maxwell, Mills, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson, Van Sandt and Vinton—49.

Absent or not voting, Messrs. Andrews of Decatur, Carbee, Cristoph, Dorr, Glendenning, Gose, Gilchrist, Russell of Jones, Russell of Washington, Runyon, Weare and White.

The motion did not prevail.

Mr. Stiles offered the following amendment to the amendment:

Sec. 3. Each of said Railroad Companies shall, within 90 days from the passage of this Act, file with the Secretary of State, and to the approval of the Governor, a relinquishment to the State for the benefit of all *bona fide* grantees, purchasers in good faith for a valuable consideration of the Des Moines River Navigation and Railroad Company, or its grantees, of all right and claim to such of the

ands lying within five miles of the Des Moines River, above the Raccoon Fork thereof, and claimed by said Railroad Companies to be within the limits of the Grant to such Companies, and as were claimed by the State under said Act of Congress, approved August 8th, 1846, and which have been heretofore sold by said Des Moines Navigation and Railroad Company, or its grantees to *bona fide* grantees, purchasers in good faith for a valuable consideration.

*Provided*, That said Des Moines Navigation and Railroad Company, or any member or stock holder thereof, or any person who has ever been a member thereof, shall not be included with the provisions of this section nor entitled to any of its benefits; and be it further provided, that for all lands so relinquished by said Railroad Companies, the Governor of the State shall direct the Register of the Land Office to set apart and certify to each of said Companies so relinquishing, an equal number of acres of the land known as "Indemnity Lands," granted to the State of Iowa, by act of Congress, approved July 12th, 1862.

Mr. Sears moved the previous question, which was seconded.

On the the question, "Shall the main question be put?" it was decided in the affirmative.

The question recurring on the motion to adopt the amendment to the amendment, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bruce, Buckham, Baylies, Carey, Campbell, Clark, Day, Davis, Elliott, Fry, Fuller, Garrett, Green, Gose, Hale, Horton, Hurst, Knox, Latham, Littler, Lindley, Lindsey, Lyons, Meissner, Munsell, McCormack, McKnight, Pritchard, Potter, Russell of Jones, Stiles, Van Sandt, Wolf and Mr. Speaker—36.

The nays were Messrs. Bromley, Bell, Burke, Brown, Carbee, Cort, Close, Darby, Fenn, Finkbine, Galland, Hildreth, Hixon, Helm, Holdridge, Jeffries, Joy, Johnson, King, Lathrop, Logan, Merriam, Magill, Maxwell, Mills, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Richards, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Vinton and Weare—48.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Glendenning, Gilchrist, Russell of Washington, Ran-  
yon and White.

The motion did not prevail.

The question recurring on the motion to adopt the amendment offered by Mr. Maxwell, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bromley, Bell, Burke, Brown, Carbee, Cort, Close, Darby, Fenn, Finkbine, Gose, Hildreth, Hixon, Jeffries, Johnson, King, Lathrop, Logan, Lindley,

Magill, Maxwell, Moir, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Pritchard, Richards, Sanderson, Simpson, Sturgis, Stanton, Skiles, Sweet, Thompson, Vinton and Weare—40.

The nays were Messrs. Bereman, Bruce, Buckham, Baylies, Carey, Campbell, Clark, Day, Davis, Elliott, Fry, Fuller, Garrett, Galland, Green, Hale, Helm, Horton, Hurst, Holdridge, Joy, Knox, Latham, Littler, Lindsey, Lyons, Merriam, Meissner, Mills, Munsell, McMaken, McNutt, McCormack, McKnight, Perry, Potter, Russell of Jones, Sears, Stiles, Smith, Spurrier, Van Sandt, Wolf and Mr. Speaker—44.

Absent or not voting, Messrs. Andrews of Decatur, Christoph, Dorr, Glendenning, Gilchrist, Russell of Washington, Runyon and White.

The motion did not prevail.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
MONDAY, March 14th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. T. McCague.

Journal of Saturday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Wolf presented the petition of John R. Cole and others of Cedar County, asking that the manufacture and sale of Ale and Beer may be prohibited by law. Referred to committee on Intemperance.

Mr. Pritchard asked for leave of absence for Mr. Runyon. Granted.

Mr. Galland presented the petition of John Hemmingway and others, praying for an amendment to Chap. 97, Sec. 2275 of the Revision. Referred to committee on Judiciary.

Mr. Wear presented the remonstrance of Elihu Robins and others of Linn County, against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

REPORTS OF COMMITTEES.

The committee of Ways and Means to whom was referred House File No. 158, "A bill for an Act fixing the compensation of future General Assemblies, have instructed me to report the same back to the House and recommend that it do not pass.

MERRIAM, from Committee.

The committee of Ways and Means to whom was referred a memorial to the General Assembly from the Board of Supervisors of Johnson County in relation to delinquent taxes on real and personal property, would report that Sec. 798 of Chap. 45 of the Revision of 1880," provides a remedy for delinquent taxes on personal property, and for the purpose of making some additional provision for the collection of delinquent taxes on real estate, the committee have instructed me to report the following bill, and to recommend the passage of the same.

MEISSNER, from Committee.

The committee on Military Affairs to whom was referred the Adjutant General's Report of the expenses incurred by the Northern and Southern Border Brigades, instruct me to report the same back and recommend it lay upon the table.

J. ANDREWS, Chairman.

Report adopted.

The committee on Military Affairs to whom was referred House File No. 11, with Senate substitute for same, have had the same under consideration and instruct me to report the same back and recommend the substitute do pass.

J. ANDREWS, Chairman.

The committee on expenditures to whom was referred House File No. 104, "A bill for an Act to amend Chapter 77, of the Acts of the 9th General Assembly, have had the same under consideration and instructed me to report the same back to the House, together with a substitute, and recommend the passage of the substitute.

PARKER, Chairman.

Your committee, to whom was referred House File No. 145, "A bill for an Act to provide for the compilation and publication of the Road Laws, and distribution of the same," have had the same under consideration, and a majority of said committee have instructed me to report the same back and recommend that it do pass.

SPURRIER, for Committee.

Committee on Public Buildings, to whom was referred the petition of the citizens of Tama county, praying the General Assembly to "pass an Act declaring the title to the Public Square in the town of Toledo, Tama county, to be in Tama county," have had the same under consideration and instructed me to report the same back and recommend that the prayer of the petitioners be not allowed, as the same is expressly prohibited by Section 30, Article 3, of the Constitution of the State of Iowa.

WM. HALE, Chairman.

Report adopted.

**MR. SPEAKER:**—The committee on Agriculture, to whom was referred House File No. 27 and 134, both in relation to the protection of sheep and other domestic animals from the ravages of dogs, have had the same under consideration, and have instructed me to report back to the House and to recommend that they do not pass.

H. M. THOMPSON, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Merriam, from committee of Ways and Means, introduced House File No. 157, "A bill for an Act permitting real estate to be sold at tax sale for less than the taxes, interest and costs due thereon, in certain cases." Read a first and second time.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has passed the following bills:

Senate File No. 153—A bill for an Act to fix the compensation of guards of the Iowa Penitentiary.

Senate File No. 144, A bill for an Act to repeal Sec. 2624 of the revision of 1860, in relation to the time of holding the terms of the Supreme Court and to provide a substitute therefor.

And a Joint Resolution authorizing the Auditing Commissioners to audit the claim of S. T. Peirce for military services.

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

#### RESOLUTIONS.

Mr. Holbridge offered the following resolution:

*Resolved*, That the committee on Elections be instructed to report a bill for a Registry Law at their earliest convenience.

Mr. Merriam moved that the resolution be laid on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Buckham, Brown, Day, Davis, Fry, Garrett, Hale, Hurst, Jeffries, Joy, King, Latham, Littler, Merriam, Magill, Maxwell, McMaken, McCall, McCormack, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Sturgis, Stiles, Van Sandt, Weare and Wolf—80.

The nays were Messrs. Andrews of Keokuk, Bereman, Bromley, Bell, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Dorr, Elliott, Fenn, Fuller, Finkbine, Galland, Green, Gilchrist, Hildreth, Hixson, Helm, Horton, Holdridge, Johnson, Knox, Logan, Lindley, Lindsey, Lyons, Meissner, Mills, Munsell, Moir, McNutt, Parker, Potter, Russell of Jones, Richards, Sanderson, Sears, Simp-



son, Stanton, Spurrier, Skiles, Sweet, Thompson, Vinton and Mr. Speaker—49.

Absent or not voting, Messrs. Andrews of Decatur, Bruce, Burke, Christoph, Darby, Glendenning, Gose, Lathrop, McKnight, Russell of Washington, Runyon, Smith and White.

The motion did not prevail.

Mr. Day asked for leave of absence for Mr. Smith. Granted.

Mr. Baylies offered the following amendment to the resolution :

"And that said Registry Law shall only apply to cities and incorporated towns, having more than three thousand inhabitants." Lost.

The question recurring on the motion to adopt the resolution, the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Andrews of Keokuk, Bromley, Bell, Buckham, Close, Clark, Dorr, Elliott, Fenn, Fuller, Green, Gilchrist, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Logan, Lindley, Lindsey, Lyons, Meissner, Mills, Moir, McNutt, McCall, Parker, Richards, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton and Mr. Speaker—46.

The nays were Messrs. Bereman, Baylies, Brown, Carey, Campbell, Cort, Day, Davis, Fry, Finkbine, Garrett, Galland, Gose, King, Knox, Latham, Littler, Merriam, Magill, Maxwell, Munsell, McMaken, McCormack, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Weare and Wolf—34.

Absent or not voting, Messrs. Andrews of Decatur, Bruce, Burke, Carbee, Christoph, Darby, Glendenning, Lathrop, McKnight, Runyon, Smith and White.

The motion prevailed.

Mr. Knox, by leave, presented the claim of John Wilcox, Capt. Co. B, 7th Iowa Cavalry. Referred to committee on Claims.

Mr. Munsell offered the following resolution :

WHEREAS, It has become the practice of members of the House to charge those who disagree with them upon different questions and politics of being employed by the Des Moines River Navigation or Railroad Companies, or some other man ; and

WHEREAS, We deem the effect of such excited discussion disreputable to the character of the General Assembly or members ; therefore be it

*Resolved*, That the practice indulged by members of charging others with any such corruption without a view of bringing them before an investigating committee, be and the same is hereby forbidden.

Mr. Finkbine moved to lay the resolution on the table. Carried.

MR. SPEAKER:—The committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 64 and 95, find them correctly enrolled, and present the same for your signature.

HORTON, for Committee.

## MESSAGES AND COMMUNICATIONS.

The resolution relating to the collection of the money due the State from James D. Eads, was taken up.

Mr. Paulk moved to lay the resolution on the table. Lost.

Mr. Russell, of Jones, moved to refer the resolution to committee on Ways and Means. Carried.

Senate File No. 153, "A bill for an Act to fix the compensation of the guards of the Iowa penitentiary," was taken up, read a first and second time, and referred to committee on Charitable Institutions.

Senate File No. 144, "A bill or an Act to repeal Sec. 2624, of Revision of 1860, in relation to the time of holding the terms of the Supreme Court, and to provide a substitute therefor," was taken up, read a first and second time, and referred to committee on Judiciary.

The resolution relating to claim of S. T. Pierce, was taken up, read, and referred to committee on Claims.

The further consideration of substitute for House File No. 112, "A bill for an Act granting to certain railroad companies an extension of time for completing their roads, upon the performance of certain conditions," was resumed.

Mr. Paulk moved that the House resolve itself into Committee of the Whole, on the bill under consideration. Lost.

Mr. Johnson moved to amend Sec. 3 as follows:

SEC. 3. Each of the said Railroad Companies claiming lands above the Raccoon Forks of the Des Moines river, shall within 90 days from the passage of this act file with the Secretary of State, and to the approval of the Governor, a bond by which they will be obligated to relinquish to all actual bona fide purchasers for a valuable consideration of lands lying within five miles of the Des Moines river, and within the limits of the grant to such Railroad Company who have purchased of the Des Moines Navigation and Railroad Company, or its grantees, all right and claim to such lands so purchased, provided that the person or persons so purchasing as aforesaid, were at the time of making such purchase, actual citizens of this State, or are now such citizens, and

*Provided further*, That such purchase was made prior to December 30th, 1859, and

*Provided further*, That said Railroad Companies shall not be required to relinquish to any one purchaser a quantity greater than two hundred acres of said lands, and

*Provided further*, That none of the benefits of this section shall be extended to any person or persons who are now or ever were members or corporators of the said Des Moines Navigation and Railroad Company, or to their (its) agents or attorneys, or any of them. And

*Provided further*, That the person or persons claiming the benefits of this section, shall be required to pay to the Railroad Company

so relinquishing lands as aforesaid, (within one year from the time when such Railroad Company shall have acquired a perfect title to such land,) the amount without interest, which by the contract of purchase of such person or persons with the Des Moines Navigation and Railroad Company, remains unpaid.

Mr. Oliver offered the following substitute for the substitute offered by Mr. Johnson.

SEC. 8. Each of the said Railroad Companies claiming lands above the Raccoon Fork of the Des Moines river shall within 90 days from the passage of this act file with the Secretary of State, and to the approval of the Governor a bond by which they will be obligated to relinquish to each actual settler who has purchased of the Des Moines Railroad and Navigation Company or its grantees, all right and claim to such lands lying within five miles of the Des Moines river, and within the limits of the grant to such Railroad Company as are settled upon, occupied or in any manner used by such actual settler upon payment by such settler, within one year from the time when such Railroad Company shall have acquired a perfect title to such land to the Railroad company within the limits of whose grant such lands may in each case lie, of the amount (if any) without interest, which by the contract of purchase of such settler, with the Des Moines Navigation and Railroad Company or its grantees, remain unpaid, and if nothing be due on such contract, then to relinquish such lands unconditionally.

On motion to adopt, the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Bromley, Bell, Burke, Brown, Campbell, Carbee, Cort, Close, Darby, Fenn, Finkbine, Goss, Gilchrist, Hildreth, Hixson, Helin, Holdridge, Jeffries, Johnson, King, Lathrop, Logan, Lindley, Magill, Maxwell, Mills, Moir, McMaken, McNutt, McCall, McCornack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Sanderson, Sears, Simpson, Sturgis, Stanton, Skiles, Sweet, Thompson, Vinton and Weare—49.

The nays were Messrs. Andrews of Keokuk, Bereman, Baylies, Carey, Clark, Day, Davis, Dorr, Elliott, Fry, Fuller, Garrett, Galland, Green, Hale, Horton, Hurst, Joy, Knox, Latham, Littler, Lindey, Lyons, Merriam, Meissner, Munsell, McKnight, Potter, Russell of Jones, Russell of Washington, Stiles, Smith, Spurrier, Van Sandt, Wolf and Mr. Speaker—37.

Absent or not voting Messrs. Andrews of Decatur, Bruce, Christoph, Glendenning, Runyon and White.

The motion prevailed.

Mr. Stiles moved to amend by striking out the words, "or its grantees," on which question the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Andrews of Keokuk, Bereman, Bromley, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Cort,

Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Garrett, Galland, Green, Gose, Gilchrist, Hale, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCormack, McKnight, Nelson, Oliver, Paulk, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Sears, Simpson, Stiles, Stanton, Smith, Spurrier, Sweet, Thomson, Van Sandt, Wolf and Mr. Speaker—89.

The nays were Messrs. Bell, Burke, Finkbine, Hildreth, Hixson, Helm, Lathrop, McCall, O'Brien, Parker, Perry, Sanderson, Sturgis, Skiles, Vinton and Weare—16.

Absent or not voting, Messrs. Andrews of Decatur, Bruce, Christoph, Fuller, Glendenning, Runyon and White.

The motion prevailed.

On motion, the House adjourned.

Two o'clock P. M.

House met pursuant to adjournment.

Mr. Horton, from committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—The committee on Enrolled Bills beg leave to report that they have examined House Files No. 67, 71, and 148, find them correctly enrolled, and present the same for your signature.

HORTON, for Committee.

Mr. McMacken asked leave of absence for Mr. Bruce. Granted.

Mr. Magill moved that the vote by which the words, "and its grantees," were stricken out of the substitute for Sec. 8, be reconsidered.

Mr. Russell of Washington moved to lay the motion to reconsider on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Buckingham, Carey, Campbell, Clark, Dorr, Elliott, Fuller, Green, Horton, Knox, Littler, Lindley, Lyons, Meissner, Munsell, and Russell of Washington—18.

The nays were Messrs. Bromley, Bell, Baylies, Burke, Brown, Carbee, Cort, Close, Darby, Davis, Fenn, Fry, Finkbine, Garrett, Galland, Gose, Gilchrist, Hale, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, King, Latham, Lathrop, Logan, Lind-

sey, Merriam, Magill, Maxwell, Mills, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrer, Sweet, Thomson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—68.

Absent or not voting, Messrs. Andrews of Decatur, Bruce, Christoph, Day, Glendenning, Hurst, Runyon and White.

The motion did not prevail.

The question recurring on the motion to reconsider the vote by which the words "and its grantees" was stricken out of substitute for Sec. 3, it was decided in the affirmative.

Mr. Paulk offered the following resolution :

*Resolved*, That the substitute and pending amendments under consideration be referred to a committee of seven, to consist of Messrs. Magill, Stiles, Maxwell, Richards, Moir, Bell and Hale, with instructions to report to this House to-morrow morning.

Mr. Hildreth moved to lay the resolution on the table. Carried.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills :

House File No. 21, "A bill for an Act to provide for the support of the Asylums for the blind and deaf and dumb, and to repeal Chap. 152, of the Acts of the 9th General Assembly," without amendment.

Also, Senate File No. 163, "A bill for an Act to organize and discipline the militia."

Senate File No. 233, "A bill for an Act to provide for correcting the account of the State with Grundy county.

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary Senate.

Mr. Paulk moved to reconsider the vote by which the substitute of Mr. Oliver was adopted, for that offered by Mr. Johnson. Lost.

The question recurring on the motion to adopt the substitute for 3d section offered by Mr. Oliver, the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Bromley, Bell, Barke, Brown, Carbee, Cort, Close, Darby, Fenn, Finkbine, Galland, Gose, Gilchrist, Hildreth, Hixson, Helm, Hurst, Holdridge, Jeffries, Johnson, King, Lathrop, Logan, Lindley, Magill, Maxwell, Mills, Moir, McMaken, McNutt, McCall, Nelson, Oliver O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Richards, Sanderson, Sears, Simpson, Sturgis, Stanton, Skiles, Sweet, Thomson, Vinton, Weare and Mr. Speaker—51.

The nays were Messrs. Andrews of Keokuk, Bereman, Buckham, Baylies, Carey, Campbell, Clark, Davis, Dorr, Elliott, Fry, Fuller, Garrett, Green, Hale, Horton, Joy, Knox, Latham, Littler, Lindsey, Lyons, Merriam, Meissner, Munsell, McCormack, McKnight, Potter, Russell of Washington, Stiles, Smith, Spurrier, Van Sandt, and Wolf—34.

Absent or not voting, Messrs. Andrews of Decatur, Bruce, Christoph, Day, Glendenning, Runyon and White.

The motion prevailed.

Mr. Hale offered the following amendment to Sec. 4.

*Provided*, That the preceding provisions of this section shall not be applied to the Burlington and Missouri River Railroad Company, *And provided further*, That said Burlington and Missouri River Railroad Company shall within sixty days after the passage of this act, file with the Secretary of State, a valid relinquishment to all lands, and also a relinquishment of their mortgages on all lands along their line of road, which have been selected as swamp and overflowed lands, under the act of Congress of Sept. 28th, 1850, which said relinquishment shall enure to the benefit of the counties respectively in which said lands lie; *and further*, refund to all persons respectively to whom they have sold any of such lands, and surrender to each all contracts made for the sale of such lands lying along their line of road.

Mr. Joy offered the following substitute for Sec. 4:

The said Railroad Companies in the preamble to this Act mentioned, shall each, within ninety days from the passage of this Act, file with the Secretary of the State of Iowa, to the approval of the Governor of this State, a relinquishment to the several counties in this State, in which any swamp or overflowed lands lie, of all the right, title and interest of said Railroad Companies in and to all swamp or overflowed lands, within their respective land grants, which have been selected under the Swamp Land Grant made to the State of Iowa by an Act of Congress, approved Sept. 28, 1850.

The question recurring on the motion to adopted the substitute of Mr. Joy, it was decided in the negative.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has concurred in the House amendments to Senate File No. 64, A bill for an Act to amend Chap. 175, of the Acts of the 9th General Assembly at its regular session. And has passed House File No. 29, A bill for an Act making a further appropriation to the Asylum for the Blind, without amendment.

WM. F. DAVIS, Sec. Senate.

Mr. Bell offered the following as a substitute for Sec. 4:

The said railroad companies, in the preamble to this act mention-

ed, shall each, within one hundred and twenty days from the passage of this act, file with the Secretary of the State of Iowa, a bond to be approved by the Governor of this State, by which they will be bound to relinquish to the several counties in this State which any swamp or overflowed lands lie, of all right, title and interest of railroad companies in and to all swamp or overflowed lands within their several land grants, which are now used or occupied by actual settlers; *Providing*, That any persons claiming the benefits conferred by this act, shall file a statement in the office of the County Judge of the county or counties in which said lands are situated, to which shall be attached an affidavit, together with the affidavits of two competent witnesses knowing to the facts; which said statement shall set forth a full, complete, and accurate description of the lands claimed; which description and accompanying affidavits shall be forwarded to the Secretary of State by said County Judge within ninety days from the passage of this act; and said Secretary of State shall give notice to said Railroad Company through the *State Register*, (a newspaper published in Des Moines,) which notice shall be all that is required to be given to said Railroad Companies, as to the description of lands required to be released.

On motion of Mr. Davis, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
TUESDAY, March 15th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. J. M. Chamberlain.

Journal of yesterday read and approved.

#### REPORTS OF COMMITTEES.

I am instructed to report back to this House substitute for Senate File No. 101, "A bill for an Act to provide for the redemption of war and defense fund warrents, and for appointing a commissioner to settle claims against the United States, and fixing his compensation," with the following amendments to Sec. 6, "Provided that the compensation shall include and be in full for all services and expenses by both the Governor and his associate, and recommend the same do pass.

GILCHRIST, Chairman.

Mr. Merriam moved that the rule be suspended and that the bill be taken up. Lost.

I am directed to report back to this House, House File No. 147, "A bill for an Act to amend Sec. 2 of Chap. 15 of the acts of the regular session of the 9th General Assembly," and recommend the same do pass.

W. J. GILCHRIST, Chairman.

The committee on the Judiciary to whom was referred Senate File No. 54, "A bill for an Act to locate the Executive office and provide for official Records and fix the Governor's salary," have had the same under consideration, and they instruct me to report the same back with a substitute, and recommend the adoption and passage of the substitute.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred Senate File No. 199, "A bill for an Act to amend Sec. 1041 of the Revision of 1860," have had the same under consideration, and they instruct me to report the same back to this House and recommend its passage.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred the petition of Robert Clark and other citizens of Winnebago County, praying for the passage of an act to legalize the location of the county seat of said county, have had the same under consideration, and they instruct me to report that as the constitution prohibits the passage of a special or local law to locate a county seat, it may be reasonably inferred that the legalizing such location is also unconstitutional, besides they deem it inexpedient to legislate on such subjects.

BEREMAN, Chairman.

The Judiciary committee to whom was referred the petition of J. T. Turner and 28 other citizens of Hardin County, praying for the passage of a law prohibiting mortgagees from selling any other property for the debt than that included in the mortgage, have had the same under consideration, and they instruct me to report that they deem it inexpedient to comply with such request.

BEREMAN, Chairman.

The committee on the Judiciary to whom was referred Senate File No. 96, "A bill for an Act supplemental and amendatory to Chap. 58 of the Revision of 1860," have had the same under consideration, and they instruct me to report the same back to this House with a recommendation that it do pass.

BEREMAN, Chairman.

The Standing Committee on the Judiciary to whom was referred House File No. 156, have had the same under consideration, and



have instructed me to report the same back and recommend its passage.

HOLDRIDGE, for Committee.

The Judiciary Committee having had under consideration House File No. 142, have instructed me to report the same back and recommend the said bill do pass.

JOY, for Committee.

The committee on County and Township Organization, to whom was referred House File, No. 144, "A bill for an Act to amend Chap. 49 of the laws passed at the regular session of the 9th General Assembly," have directed me to report the same back to this House, and recommend that it do not pass.

O. NELSON, Chairman.

The committee on County and Township organization, to whom was referred Senate File No. 201, "A bill for an Act authorizing Joseph Hayne, the Recorder of Wapello county, to transcribe records in his office," have examined the same and deeming the provisions of Art. 9, Chap. 96, of the revision of 1860, sufficient in the premises, have directed me to report it back to this House with the recommendation that it do not pass.

O. NELSON, Chairman.

The committee on County and Township Organization, to whom were referred the petition and remonstrance of citizens of Buchanan county, relative to changing the name of said county, have directed me to report them back to the House, recommending that no change be made.

O. NELSON, Chairman.

#### REPORTS OF SELECT COMMITTEES.

The Special Committee to whom was referred the report of Dr. Maxwell, have had the same under consideration, and have instructed me to report the same back to this House with the recommendation that it lay on the table.

HURST, Chairman.

The report was adopted.

MR. SPEAKER:—The committee on Enrolled Bills beg leave to report that they have examined House Files No. 90 and 129, find them correctly enrolled, and present the same for your signature.

HORTON, for Committee.

Mr. Galland, by leave, introduced House File No. 158, "A bill for an Act supplemental to an Act entitled an Act to amend Chap. 80, of the Code of Iowa; being Chap. 97 of the Revisions of 1860.

Read a first and second time and referred to committee on the Judiciary.

Also, House File No. 159, "A bill for an Act supplemental to Chap. 175, of the revision of 1860—offences against the public peace." Read a first and second time and referred to select committee, consisting of Messrs. Bromley and Galland.

Also, House File No. 160, "A bill for an Act respecting public administration." Read a first and second time, and referred to committee on County and Township Organization.

#### RESOLUTIONS.

Mr. Vinton offered the following resolution:

*Resolved, by the House of Representatives, the Senate concurring,* That the following amendment to Section eight, of Article eleven, of the New Constitution of the State of Iowa, subject to the agreement of the next General Assembly, and the approval of the people as provided for in Section one, Article ten, of said Constitution, is hereby proposed: Strike out so much of said section as refers to the permanent establishment of the seat of government at the City of Des Moines, in Polk county, and insert the following: The General Assembly, at any time after the year one thousand eight hundred and sixty seven, shall have power to permanently establish the seat of government of the State, either at the City of Des Moines in the county of Polk, or at such other place as they may determine.

Mr. Hildreth moved to refer to committee on Constitutional Amendments.

Mr. Davis moved to lay the resolution on the table.

On which question the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bereman, Bell, Buckham, Baylies, Campbell, Close, Clark, Darby, Davis, Fenn, Fry, Gose, Horton, Jeffries, Joy, King, Knox, Latham, Merriam, Maxwell, Meissner, McMaken, McNutt, Richards, Stiles, Smith, Skiles, Van Sandt, Wolf and Mr. Speaker—31.

The nays were Messrs. Bromley, Brown, Carey, Carbee, Cort, Day, Dorr, Elliott, Fuller, Finkbine, Garrett, Galland, Green, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge, Johnson, Lathrop, Logan, Littler, Lindsey, Magill, Mills, Munsell, Moir, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Sanderson, Sears, Simpson, Sturgia, Stanton, Spurrier, Sweet, Thomson, Vinton and Weare—49.

Absent or not voting, Messrs. Andrews of Decatur, Bruce, Burke, Christoph, Glendenning, Gilchrist, Lindley, Lyons, McKnight, Russell of Washington, Runyon and White.

The motion did not prevail.

The question recurring on the motion to refer to committee, it was decided in the affirmative.

Mr. Stiles asked for leave of absence for Mr. Bereman. Granted.  
Mr. Merriam, by leave, called up the resolution relating to the per diem of the officers of this General Assembly.

Mr. Hildreth moved to amend the resolution by striking out the compensation for carrying the mail. Lost.

Mr. Littler offered to amend as follows: Strike out the sum of "two dollars and fifty cents" for per diem of messengers, and insert instead thereof "two dollars."

Mr. Oliver moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion of Mr. Littler, it was decided in the negative.

The question recurring on the motion to adopt the resolution as reported by the committee, it was decided in the affirmative.

Mr. Finkbine moved to take up House File No. 112, "A bill for an Act to resume certain lands, interests, rights, powers, and privileges, granted to the State of Iowa by the United States, and by the State of Iowa conditionally conferred upon certain railroad companies."

The consideration of the amendment to Sec. 4, offered by Mr. Bell, was resumed.

The question recurring on the motion to adopt, it was decided in the negative.

The question recurring on the motion to adopt the proviso offered by Mr. Hale, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Buckham, Carey, Campbell, Davis, Dorr, Elliott, Fry, Fuller, Finkbine, Green, Hale, Hurst, Joy, King, Knox, Lindley, Lindsey, Maxwell, Munsell, McNutt, McCormack, McKnight, Oliver, Potter, Stiles, Stanton, Spurrier, Van Sandt, Weare, Wolf and Mr. Speaker—32.

The nays were Messrs. Bromley, Bell, Baylies, Brown, Carbee, Cort, Close, Clark, Day, Darby, Fenn, Garrett, Galland, Goss, Gilchrist, Hildreth, Hixson, Helm, Horton, Jeffries, Johnson, Latham, Lathrop, Logan, Lyons, Merriam, Magill, Meissner, Mills, Moir, McMaken, McCall, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Richards, Sanderson, Simpson, Sturgis, Smith, Skiles, Sweet, Thompson and Vinton—47.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Bruce, Burke, Christoph, Glendenning, Holdridge, Littler, Nelson, Russell of Washington, Runyon, Sears and White.

The motion did not prevail.

Mr. Magill offered the following amendment to Sec. 4:

In 1st line after the word "companies," insert "named in the preamble of this act," and strike out "sixty," and insert "ninety."

In the 16th line strike out all after the word "completed," and in-

sert "and put in operation their road to within twenty miles of such lands to be relinquished."

Mr. Hale offered the following amendment to the amendment:

Strike out in 7th line the words "an agreement with such Railroad company," and insert the words "an obligation on the part of said county." Adopted.

Mr. Fenn offered the following amendment:

Strike out the words "1861" in the 5th line, and insert the words "1864." Lost.

The question recurring on the motion to adopt the amendment, of Mr. Magill it was decided in the affirmative.

Mr. Oliver moved to amend Sec. 4 as follows:

Strike out the word "whenever" in the 6th line, and insert the word "if," and insert after the word "authorities" in the 6th line, the words "within one year from the taking effect of this act." Carried.

Mr. Paulk moved to amend by striking out the word "no" in 13th line, and insert the word "not" after the word "shall." Carried.

Mr. Richards moved to amend by striking out the word "final" in the 8th line, and insert after the word "had," the words, "by competent authority." Lost.

Mr. Sanderson moved to amend by inserting in 4th line after the word "lands," the words "which are in fact swamp lands." Lost.

The question recurring on the motion to adopt the 4th section, it was decided in the affirmative.

Mr. Van Sandt offered the following, as Sec. 5, which was adopted.

SEC. 5. Any person having in good faith, acquired, either by purchase or pre-emption, a claim upon any tract of land within the limits of either of said Railroads, (not selected and claimed as swamp or Des Moines river lands,) and which has been certified and approved by the commissioner of the General Land Office, and the Secretary of the Interior, to the State, for the benefit of such road, or which may hereafter be so certified and approved, and which said claim has been or may hereafter be declared invalid, upon contest, or any other legal proceeding, either before the Land Office or in any court with or by either of said Railroad companies, shall upon payment to such Railroad company of the sum of one dollar and twenty five cents per acre for said land, be entitled to a deed therefor, and if after tendering said money to such Railroad company, or to any officer or agent thereof, or making an offer in writing, to pay the same, said company shall refuse or neglect to make such conveyance, such person may bring suit in the District Court of the proper county, to compel such conveyance, having 1st deposited such sum of money with the clerk of said court subject to the order of said company

Mr. Bell moved to amend Sec. 6, by striking all out after the word "benefits," in the 4th line of the section.

Mr. Oliver offered the following as a substitute for Sec. 6 :

"If any of the lands which either of said railroad companies is required to relinquish by sections one, three, and four of this act, shall have been sold, or in any manner incumbered by such company, or shall be liable to become so incumbered under any contract of such company, then such company shall procure from such grantees or incumbrancers an absolute relinquishment, to the approval of the Governor, of all claims to any such lands, and shall file such relinquishments, together with, and at the time of filing the relinquishment and bonds required by sections one, three, and four of this act. And if either of said railroad companies shall at any time fail or neglect to comply with any of the conditions or requirements of either of the bonds aforesaid, according to the tenor thereof, then, and in that case, the Governor shall not certify to the completion of any portion of the road of the company so failing; and it shall not receive, nor be entitled to receive, any more lands, or other benefits, until it shall have fully performed and complied with such requirements and conditions."

On motion of Mr. Hale, the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

The question recurring on the motion to adopt the amendment offered by Mr. Oliver, it was decided in the negative.

The question recurring on the motion to amend, as offered by Mr. Bell, it was decided in the affirmative.

Mr. Finkbine offered the following as a substitute for Sec. 6, which was adopted :

"If any of the lands which either of said railroad companies is required to relinquish by sections one, three, and four of this act, shall have been sold, or in any manner incumbered, by such company, or shall be liable to become so incumbered, under any contract of such company, then such company shall procure from such grantees or incumbrancers, an absolute relinquishment, to the approval of the Governor, of all claims to any of such lands, and shall file such relinquishment, together with, and at the time of filing the relinquishment and bonds required by sections one, three and four of this act, and if either of said railroad companies shall at any time fail or neglect to comply with any of the conditions or requirements of either the bonds aforesaid, according to the tenor thereof, then,

and in that case, the Governor shall not certify to the completion of any portion of the road of the company so failing, and it shall not receive, nor be entitled to receive, any more lands or other benefits."

Mr. Russell, of Jones, offered the following as a substitute for Sec. 7, which was not adopted :

Sec. 7. Neither of said Railroad Companies before mentioned shall in any case receive or be entitled to receive any lands selected by the State within the six mile limits of the grant of lands made by Congress to this State, to aid in the construction of railroads, approved May 15th, A. D. 1856, which are not located within the distance of twenty miles in advance from the furthest point to which such Railroad Company has its road completed and actually operated. But said Railroad Companies may, and they are hereby permitted and entitled to receive an amount of lands equal to one hundred and twenty sections for each twenty miles of road actually built and operated, from the lands selected outside of the six mile limits, and within the fifteen mile limits of said Grant, provided, the whole amount of said one hundred and twenty sections are not contained within the first twenty miles in advance of said railroads; and each of said Railroad Companies filing bonds in compliance with the requirements of this act, shall, at the same time, file with the Secretary of State a written assent to the conditions of this Section.

Mr. Richards moved to strike out Sec. 7.

On which question the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Bromley, Cort, Dorr, Fuller, Green, Hildreth, Helm, Lathrop, Merriam, Mills, Moir, McMaken, McCall, O'Brien, Parker, Paulk, Perry, Russell of Jones, Richards, Sander-son, Vinton and Weare—22.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Fry, Finkbine, Garrett, Gose, Hale, Hixson, Horton, Hurst, Holdridge, Jeffries, Joy, King, Knox, Latham, Logan, Littler, Lindley, Lyons, Magill, Maxwell, Meissner, Munsell, McNutt, McCormack, McKnight, Nelson, Oliver, Pritchard, Potter, Russell of Washington, Sears, Sturgis, Stiles, Stanton, Smith, Spurrier, Sweet, Thompson, Van Sandt, Wolf and Mr. Speaker—57.

Absent or not voting, Messrs. Bereman, Bruce, Burke, Christoph, Galland, Glendenning, Gilchrist, Johnson, Lindsey, Runyon, Simpson, Skiles, and White.

The motion did not prevail.

Mr. Richards moved to amend by adding the following proviso :

*Provided*, That each of said Railroad Companies may receive for every twenty miles of the several roads hereafter built, such part

of their whole grant as twenty miles is of the whole length of the railroad.

The amendment did not prevail.

Mr. Wolf moved to amend Section 8, as follows:

Strike out all after the words "Missouri River," and insert the words in fifth line, "and provided further, that nothing in this Act shall be so construed as to exempt said Railroad Companies from penalties and liabilities arising out of the failure to perform the conditions imposed upon them by former laws."

The question being divided on the motion to strike out, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Buckham, Baylies, Brown, Carey, Campbell, Close, Clark, Day, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Galland, Green, Gilchrist, Hale, Horton, Hurst, Holdridge, Jeffries, Joy, Knox, Littler, Lindley, Lindsey, Lyons, Meissner, Munsell, McCormack, McKnight, Pritchard, Potter, Russell of Jones, Russell of Washington, Stiles, Sweet, Van Sandt, Wolf and Mr. Speaker—43.

The nays were Messrs. Bromley, Bell, Carbee, Cort, Finkbine, Garrett, Hildreth, Hixson, Helm, Johnson, Latham, Lathrop, Merriam, Magill, Maxwell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Richards, Sanderson, Sears, Simpson, Sturgia, Stanton, Skiles, Spurrier, Thompson, Vinton and Weare.—35.

Absent or not voting, Messrs. Bereman, Bruce, Burke, Christoph, Darby, Glendenning, Gose, King, Logan, Mills, Perry, Runyon, Smith and White.

The motion prevailed.

The question recurring on the motion to insert, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Buckham, Baylies, Carey, Campbell, Close, Clark, Day, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Galland, Green, Gose, Gilchrist, Hale, Horton, Hurst, Holdridge, Jeffries, Knox, Latham, Littler, Lindley, Lindsey, Lyons, Meissner, Munsell, McCormack, McKnight, Potter, Russell of Washington, Stiles, Spurrier, Van Sandt, Wolf and Mr. Speaker—41.

The nays were Messrs. Bromley, Bell, Brown, Carbee, Cort, Finkbine, Hildreth, Hixson, Helm, Joy, Johnson, Lathrop, Logan, Merriam, Magill, Maxwell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Pritchard, Russell of Jones, Richards, Sanderson, Sears, Simpson, Sturgia, Stanton, Smith, Skiles, Sweet, Thompson, Vinton and Weare—39.

Absent or not voting Messrs. Bereman, Bruce, Burke, Christoph, Darby, Garrett, Glendenning, King, Mills, Perry, Runyon and White.

The motion prevailed.

Mr. Moir moved to amend Sec. 9, as follows :

Strike out of sixth line the words "August, 1864," and insert the words "January, 1865," and after the word "operation" in seventh line, insert the words "such portions of their road on or before said first day of January."

Mr. Green moved to amend Sec. 9, as follows :

*"Provided further,* That the Cedar Rapids and Missouri River Rail Road Company is hereby required to build and equip, or cause to be built and equipped, and put in operation that portion of the eastern division of the Iowa Central Air Line Railroad, from the point of intersection with the main line, near Maquoketa; thence on said main line (as prescribed in the Act of Congress donating lands to aid in the construction of railroads in the State of Iowa,) as far west as the town of Marion, in Linn county. And the Governor is hereby required to withhold certificates for at least two hundred and forty sections of land to said company, until it shall have built and equipped, or caused to be built, equipped, and put in operation, the aforesaid portion of the eastern division of said railroad."

Mr. Oliver moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Absent without leave, Messrs. Baylies, Burke and Perry.

On motion of Mr. Russell, of Jones, further proceedings under the call were dispensed with.

The question recurring on the motion to adopt the amendment of Mr. Green, the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Andrews of Keokuk, Buckham, Carey, Campbell, Carbee, Clark, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Green, Hale, Horton, Hurst, Knox, Littler, Lindley, Merriam, Meissner, Munsell, McNutt, McCormack, McKnight, Potter, Russell of Jones, Russell of Washington, Stiles, Van Sandt, Wolf and Mr. Speaker—34.

The nays were Messrs. Andrews of Decatur, Bromley, Bell, Baylies, Brown, Cort, Close, Day, Darby, Finkbine, Goea, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, King, Latham, Lathrop, Logan, Lindsey, Lyons, Magill, Maxwell, Mills, Moir, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Panik, Pritchard, Richards, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Vinton and Weare—48.

Absent or not voting, Messrs. Bereman, Bruce, Burke, Christoph, Glendenning, Gilchrist, Perry, Runyon, Sears and White.

The motion did not prevail.

Mr. Russell, of Washington, moved to amend as follows : After the word "eastward," in the sixth line of the eighth section, strike out the words, "to the first day of August, A. D. 1864," and in-



sert "until the main line of said road shall be completed to its point of termination on the Missouri river."

Mr. Bromley moved to adjourn. Lost.

Mr. Finkbine moved to adjourn until 7 o'clock this evening. Lost.

Mr. Russell, of Jones, moved to adjourn. Lost.

The question recurring on the motion to adopt the amendment offered by Mr. Russell, of Washington, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Buckham, Carey, Campbell, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Green, Hale, Horton, Hurst, Jeffries, Joy, Knox, Latham, Littler, Lindley, Lindsey, Lyons, Meissner, Mills, Munsell, McCormack, McKnight, Potter, Russell of Jones, Russell of Washington, Stiles, Sweet, Van Sandt and Wolf—40.

The nays were Messrs. Bromley, Bell, Baylies, Brown, Carbee, Cort, Close, Finkbine, Gose, Gilchrist, Hildreth, Hixson, Helm, Holdridge, Johnson, King, Lathrop, Logan, Merriam, Magill, Maxwell, Moir, McMaken, McNutt, McCall, Neison, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Thompson, Vinton, Weare and Mr. Speaker—41.

Absent or not voting, Messrs. Bereman, Bruce, Burke, Christoph, Glendenning, Runyon and White.

The motion did not prevail.

Mr. Vinton moved to adjourn. Lost.

Mr. Russell of Jones, offered the following amendment:

*Provided however*, that the right of way for said Lyons Railroad Company can be obtained within the corporate limits of the city of Clinton.

The motion prevailed.

Mr. Moir moved to amend by striking out the word "nine" and inserting the word "ten." Carried.

Mr. Fenn moved to reconsider the vote by which the amendment of Mr. Wolf was adopted.

Mr. Hale moved to lay the motion to reconsider on the table. Lost.

On the motion to reconsider, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bromley, Bell, Brown, Carbee, Cort, Close, Darby, Fenn, Finkbine, Gilchrist, Hildreth, Hixson, Helm, Holdridge, Johnson, King, Lathrop, Logan, Merriam, Magill, Maxwell, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Vinton and Weare—46.

The nays were Messrs. Andrews of Decatur, Buckham, Baylies, Carey, Campbell, Clark, Day, Davis, Dorr, Elliott, Fry, Fuller, Garrett, Galland, Green, Hale, Hurst, Jeffries, Joy, Knox, Latham, Littler, Lindley, Lindsey, Lyons, Meissner, Mills, McCormack, Potter, Russell of Jones, Russell of Washington, Stiles, Van Sandt, Wolf and Mr. Speaker—35.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Bruce, Burke, Christoph, Glendenning, Gose, Horton, McKnight, Runyon and White.

The motion prevailed.

The question recurring on the motion to adopt the amendment of Mr. Wolf, it was lost.

Mr. Richards moved to reconsider the vote by which the amendment to Sec. 4, sixth line was adopted. Carried.

Mr. Russell of Washington, moved to adjourn. Lost.

The question recurring on the motion to strike out the word "if," and insert the word "whenever," it prevailed.

Mr. Johnson moved to adjourn. Lost.

Mr. Finkbine moved to amend second line of Sec. 10, as follows :

Strike out the words "each and all," and insert the word "any."

Carried.

Mr. Davis moved to amend by striking out of seventh line of 10th Section the words "such failure," and insert the words, "the passage of this act." Lost.

Mr. Meissner moved to amend by inserting in third line of Sec. 10, the word "Bonds" after the word "all" Lost.

Mr. Oliver moved that the bill be engrossed and made the special order for 10 o'clock on Thursday morning. Carried.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
WEDNESDAY, March 16th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. J. M. Chamberlain.

Journal of yesterday read and approved.

#### PETITIONS AND REMONSTRANCES.

Mr. Hixson presented the remonstrance of Mr. Hall and 83 others, against the repeal of the liquor law. Referred to committee on Intemperance.

Mr. Lindley presented the petition of Leroy Lambert and 114 others, praying for a more stringent Liquor Law. Referred to committee on Intemperance.

Mr. Olose presented the petition of F. Wallace and others, of Black Hawk County, praying for the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Holdridge presented a similar petition from citizens of Buchanan County. Referred to same committee.

Mr. Finkbine presented a remonstrance of the Soldiers Aid Society of Iowa City, against the repeal of the act of the extra session of 1862, by which Mrs. Annie Wittenmeyer was appointed a Sanitary Agent, which was laid on the table.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following Bills, Senate File No. 106, "A bill for an Act to amend Sec. 89 of Chap. 172 of the acts of the 9th General Assembly, and to authorize Independent School Districts, to levy a tax of not to exceed ten mills on the dollar in any one year, on the taxable property of such district.

Senate File No. 125, "A bill for an Act authorizing municipal authorities to provide for repairs of streets, alleys, side-walks, &c.

Senate File No. 111, "A bill for an Act to amend Sec. 777 of the Revision of 1860."

In which the concurrence of the House is respectfully asked.

The Senate indefinitely postponed House File No. 6, "A bill for for an Act for procuring statistical information with regard to the destruction of sheep."

And has rejected House substitute for House Files No. 48 and 49, "A bill for an Act authorizing and requiring the sale or exchange of specie now in the State Treasury for legal tender notes of the United States."

And has passed House File No. 33, "A bill for an Act to prevent fraud by weighmasters of public scales," without amendment.

WM. F. DAVIS, Secretary of Senate.

#### REPORTS OF COMMITTEES.

The committee on Claims, to whom was referred the claim of C. T. Haskins, beg leave to report that they have had the same under consideration, and find from evidence taken before the State Auditing Board, that said claim had been presented to said Board, and by them refused for the reason that John T. Baldwin, against whom the account is made, was not, and never had been quartermaster, and he only acted as contractor, and on his personal responsibility purchased the articles mentioned in the claim or account of C. T. Haskins, and has been paid in full by said Auditing Board for all the rations by him furnished to the 4th Iowa Infantry. Your commit-

tee have therefore instructed me to report this claim back to the House, and recommend that said claim be not allowed.

MOIR, Chairman.

Report adopted.

The committee on Claims, to whom was referred the Joint Resolution regarding the claim of A. T. Auld *et al.*, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House, and recommend that said resolution do not pass.

MOIR, Chairman.

The report was adopted.

The committee on Claims, to whom was referred the Joint Resolution that passed the Senate, empowering the State Auditing Board to examine and audit the claim of S. T. Pierce, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House, with the recommendation that said resolution do pass.

All of which is respectfully submitted.

MOIR, Chairman.

The report was adopted.

The Committee on Military Affairs to whom was referred House File No. 119; "A bill for an Act establishing a military department in the State University," have had the same under consideration, and instruct me to report the same back and recommend it lay upon the table.

J. ANDREWS, Chairman.

The report was adopted.

MR. SPEAKER:—The Committee on Enrolled Bills beg leave to report that they have examined House File No. 17, "A bill for an Act for the relief of Catharine Morris, daughter of Edward Morris, deceased," find it correctly enrolled, and present the same for your signature.

HORTON, for committee.

MR. SPEAKER:—The committee on Agriculture to whom was referred House File No. 6, and substitute for House File No. 6, "A bill for an Act empowering counties to offer bounties on scalps of wild animals," reported back from the Senate with amendments, have had the same under consideration, and have instructed me to report back to the House with a recommendation that the Senate amendments be concurred in by the House.

H. M. THOMPSON, Chairman.

MR. SPEAKER:—The committee on Charitable Institutions to whom was referred House File No. 135, "A bill for an Act to

Richards, Sanderson, Stiles, Smith, Spurrier, Sweet, Vinton and Mr. Speaker—20.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Bruce, Burke, Brown, Christoph, Horton, McKnight, Runyon and White.

The motion prevailed.

Mr. Sears moved that the vote by which the enacting clause was stricken out of the bill, be reconsidered.

Mr. Oliver moved to lay the motion to reconsider on the table. Carried.

Mr. King, by leave, called up House File No. 125, "A bill for an Act defining the duties of County Surveyors," with the amendments recommended by the committee. The amendments were adopted.

Mr. King moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, C'ose, Clark, Day, Darby, Davis, Elliott, Fenn, Fuller, Finkbine, Garrett, Galland, Green, Gose, Gilchrist, Hale, Hildreth, Hixson, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Littler, Lindley, Lindsey, Lyons, Merriam, Maxwell, Meissner, Munsell, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Paulk, Russell of Washington, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Thomson, Van Sandt, Vinton, Wolf and Mr. Speaker—66.

The nays were Messrs. Dorr, Fry, Helm, Magill, Moir, Parker, Perry, Russell of Jones, Richards, Simpson, Spurrier, Sweet and Weare—18.

Absent or not voting, Messrs. Bereman, Bruce, Cristoph, Glendenning, Horton, Logan, Mills, McKnight, Pritchard, Potter, Runyon, Skiles and White.

The bill passed and the title was agreed to.

On motion, the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Paulk, by leave, called up House Substitute for Senate File No. 87, "A bill for an Act fixing the per diem of Road Supervisors," with amendment, recommended by committee to whom the bill was referred.

Mr. Andrews moved that the amendment be adopted.

Mr. Buckham moved to amend the amendment by striking out the word "fifty" and inserting the words "forty-five."

Mr. Oliver moved to amend by striking out of the amendment the compensation for teams and laborers. Lost.

Mr. Sears moved to amend as follows:

"The County Board of Supervisors shall at their meeting the 1st Monday of January, fix the rate allowed for labor upon the highways in their county. Lost.

Mr. Oliver moved to amend the amendment by striking out "\$1.25" and inserting "\$2.00," and also to strike out \$2.50 and insert \$4.00. Lost.

Mr. Sears moved to amend the amendment by striking out \$1.25 and inserting "\$1.50," and strike out \$2.50 and insert "\$3.00." Carried.

Mr. Paulk moved to amend the amendment by adding the words "fifty cents for use of wagon, and twenty-five cents for use of plow." Lost.

The question recurring on the motion to adopt the amendment recommend by the committee, it was decided in the affirmative.

Mr. Paulk offered the following as an additional section.

That Sec. 1 Chap. 163 of the laws of the 9th General Assembly, be and the same is hereby so amended as to read as follows:

The Trustees of each organized township shall at an annual meeting to be holden on the 2d Monday in each year or as soon thereafter as the assessment book is received by the clerk, determine upon the additional amount of property tax to be levied for roads, bridges, plows and scrapers, and levy the same, which shall not be less than one nor more than four mills on the dollar on the amount of the township assessment of that year.

*Provided*, That when incorporated cities are by act of incorporation made road districts, this act shall not interfere with such districts, but the same shall be under the control of such city.

The amendment did not prevail.

Mr. Andrews of Keokuk, offered the following as an additional section.

Sec. 3. That Section nine hundred and five (905) of the Revision of 1860, be amended by adding the following:

And when snow by falling or drifting becomes an obstruction to the passage of the roads, it shall be the duty of the supervisor in whose district such obstruction occurs, to call out any or all the able-bodied men within his district, as provided in Sec. 903 and 904 of the Revision of 1860, and subject to the same provisions, provided that work be commenced within 24 hours from the time when such obstructions is caused, and proceed diligently until such obstruction is removed and provided further, that no supervisor shall have power to open or lay down any fence to avoid said obstruction, with-

out the consent in writing of the owner or occupier of land enclosed by said fence.

The motion to adopt was lost.

Mr. Hildreth moved that the further consideration of the bill be indefinitely postponed. Lost.

Mr. Van Sandt moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fry, Finkbine, Garrett, Galland, Glendenning, Green, Gilchrist, Hixson, Hurst, Holdridge, Jeffries, Joy, King, Knox, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Potter, Russell of Washington, Richards, Sanderson, Sears, Simpson, Sturgis, Skiles, Spurrier, Sweet, Thompson, VanSandt, Vinton and Weare—63.

The nays were Messrs. Bell, Buckham, Baylies, Day, Fuller, Gose, Hildreth, Johnson, Latham, Littler, Moir, McMaken, McCormack, Russell of Jones, Stanton, Smith, Wolf and Mr. Speaker—18.

Absent or not voting, Messrs. Bereman, Bruce, Christoph, Hale, Helm, Horton, McKnight, Pritchard, Runyon, Stiles and White.

The bill passed and the title was agreed to.

Substitute for House File No. 6, "A bill for an Act empowering counties to offer additional bounties on scalps of wild animals," with the Senate amendments, was taken up, and on motion of Mr. Oliver, the amendments were concurred in.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bromley, Baylies, Brown, Carey, Campbell, Carbee, Cort, Close, Darby, Dorr, Elliott, Fry, Garrett, Galland, Glendenning, Green, Gilchrist, Hale, Hixson, Helm, Holdridge, Joy, Johnson, King, Latham, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Pritchard, Potter, Russell of Jones, Russell of Washington, Sanderson, Sears, Skiles, Simpson, Sturgis, Stiles, Stanton, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—62.

The nays were Messrs. Bell, Buckham, Burke, Clark, Day, Davis, Fenn, Fuller, Finkbine, Hildreth, Hurst, Lathrop, Moir, Perry, Richards and Smith—16.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Bruce, Christoph, Gose, Horton, Jeffries, Knox, Littler, Munsell, McKnight, Runyon, Weare and White.

The bill passed and the title was agreed to.

House File No. 145, "A bill for an Act to provide for the compilation and publication of the road laws, and distribution of the same," was taken up.

Mr. Simpson moved to amend by adding the publication clause. Carried.

Mr. Simpson moved that the bill be read a third time by its title, and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Darby, Davis, Dorr, Elliott, Fenn, Finkbine, Galland, Glendenning, Green, Gilchrist, Hixson, Helm, Hurst, Holdridge, Jeffries, Johnson, King, Knox, Lathrop, Logan, Lindley, Lindsey, Lyons, Magill, Maxwell, Meissner, Mills, McMaken, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, P'aulk, Perry, Potter, Russell of Washington, Richards, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare and Wolf—64.

The nays were Messrs. Close, Clark, Day, Fry, Fuller, Garrett, Hildreth, Joy, Latham, Littler, Moir and Mr. Speaker—12.

Absent or not voting, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bruce, Christoph, Gose, Hale, Horton, Merriam, Munsell, McNutt, McKnight, Pritchard, Russell of Jones, Runyon and White.

The bill passed and the title was agreed to.

House File No. 156, "A bill for an Act to change the names of counties," was taken up.

Mr. Van Sandt moved to strike out the publication clause. Carried.

Mr. Oliver moved to strike out the enacting clause. Lost.

Mr. Sturgis moved to strike out the words "one fifth" in section, and insert the words "one half." Lost.

Mr. Sears moved that the bill be read a third time, and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Baylies, Carbee, Close, Clark, Darby, Davis, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Green, Hale, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, King, Knox, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McNutt, Perry, Potter, Russell of Jones, Russell of Washington, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson and Van Sandt—52.

The nays were Messrs. Bell, Buckham, Burke, Brown, Carey,



Campbell, Cort, Day, Dorr, Glendenning, Gose, Gilchrist, Hurst, Latham, Meissner, McMaken, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Pritchard, Richards, Stiles, Vinton, Weare, Wolf and Mr. Speaker—30.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Christoph, Elliott, Horton, McKnight, Runyon and White.

The bill passed and the title was agreed to.

Mr. Sears moved that the rule be suspended, and that Mr. McNutt have leave to introduce the following resolution. Carried.

*Resolved*, That the rule (if any such exists) which requires a two-third vote to take from the table a bill adversely reported upon by a committee, is hereby rescinded, and a majority shall in all cases be competent to take from the table any bill in its order.

Mr. Russell of Washington, moved that the resolution be referred to committee on Rules, with instruction. Lost.

On motion, the resolution was adopted.

Mr. McNutt moved to take up Senate File No. 89, "A bill for an Act to prohibit the circulation of foreign bank bills in this State."

On which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Bromley, Carey, Clark, Darby, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hildreth, Hixson, Hurst, Holdridge, Johnson, Logan, Littler, Lindley, Lindsey, Lyons, Maxwell, Mills, Munsell, McMaken, McNutt, McCall, McCormack, O'Brien, Parker, Perry, Potter, Russell of Jones, Sanderson, Sears, Simpson, Stanton, Skiles, Spurrier, Sweet, Thompson, Van Sandt, and Vinton—48.

The nays were Messrs. Bell, Buckham, Baylies, Burke, Brown, Campbell, Carbee, Cort, Close, Day, Davis, Gilchrist, Hale, Helm, Jeffries, Joy, Knox, King, Latham, Lathrop, Merriam, Magill, Meissner, Moir, Nelson, Oliver, Paulk, Pritchard, Russell of Washington, Richards, Stiles, Smith, Weare, Wolf and Mr. Speaker—35.

Absent or not voting Messrs. Andrews of Keokuk, Bereman, Bruce, Christoph, Horton, McKnight, Runyon, Stargis, and White. The motion prevailed.

Mr. Paulk moved to strike out the enacting clause.

Mr. Russell of Jones, moved a call of the House, which was seconded.

The clerk proceeded to call the roll.

Absent without leave, Mr. McKnight.

Mr. Moir moved that further proceedings under the call be dispensed with. Carried.

The question recurring on the motion of Mr. Paulk, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bell, Buckham, Baylies, Burke, Brown, Campbell, Cort, Clark, Day, Davis, Garrett, Gilchrist, Hale, Helm, Joy, Johnson, King, Knox, Latham, Lathrop, Merriam, Magill, Meissner, Munsell, Moir, Nelson, Oliver, Paulk, Russell of Washington, Richards, Stiles, Smith, Weare, Wolf and Mr. Speaker—35.

The nays were Messrs. Andrews of Decatur, Bromley, Carey, Carbee, Close, Darby, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Galland, Green, Gose, Hildreth, Hixson, Hurst, Holdridge, Jeffries, Littler, Lindley, Lindsey, Lyons, Maxwell, Mills, McMaken, McNutt, McCall, McCormack, McKnight, Parker, Perry, Potter, Russell of Jones, Sanderson, Sears, Simpson, Sturgis, Stanton, Skiles, Spurrier, Sweet, Thompson, Van Sandt and Vinton—46.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Bruce, Christoph, Glendenning, Horton, Logan, O'Brien, Pritchard, Runyon and White.

The motion did not prevail.

Mr. Russell, of Washington, offered the following amendment to Sec. 1 :

After the word "money," in fourth line, first section, insert, "or if any person shall receive, or offer to receive, in payment of any any debt, or for any other valuable consideration."

On the motion to adopt, the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Bell, Buckham, Baylies, Burke, Brown, Campbell, Cort, Clark, Davis, Gilchrist, Hale, Hurst, Joy, Knox, Latham, Lathrop, Merriam, Meissner, Moir, Nelson, Oliver, Pritchard, Russell of Washington, Richards, Stiles and Weare.—26.

The nays were Messrs. Andrews of Decatur, Bromley, Carey, Carbee, Close, Day, Darby, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hildreth, Hixson, Helm, Holdridge, Jeffries, Johnson, King, Logan, Littler, Lindley, Lindsey, Lyons, Magill, Maxwell, Mills, Munsell, McMaken, McNutt, McCall, McCormack, McKnight, O'Brien, Parker, Paulk, Perry, Potter, Russell of Jones, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—59.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Bruce, Christoph, Horton, Runyon and White.

The motion did not prevail.

Mr. Weare moved to strike out the words, "first of July next," and insert the words, "first of January, 1865." Lost.

Mr. Hildreth moved that the bill be read a third time now and put upon its passage.

Mr. Russell, of Jones, moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Hale moved a call of the House, which was seconded.

Mr. Moir moved that further proceedings under the call be dispensed with. Carried.

The question recurring on the motion of Mr. Hildreth, it was decided in the affirmative.

Mr. ——— moved that the vote by which the bill was ordered to a third reading, be reconsidered.

The Speak *pro tem*—Mr. Finkbine, decided the motion in order.

Mr. Hildreth appealed from the decision of the Chair.

On the question, "Shall the Chair be sustained?" it was decided in the affirmative.

On motion of Mr. Hale the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
THURSDAY, March 17th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Nash.

Journal of yesterday read and approved.

#### PETITIONS AND REMONSTRANCES.

Mr. Thompson presented the petition of M. A. Douden, and others, praying for a law to restrain stock from running at large. Referred to select committee on the subject of stock running at large.

Mr. Stiles presented the petition of J. K. Shepherd and others, praying for a change in the management of county affairs. Referred to committee on County and Township Organization.

#### REPORTS OF COMMITTEES.

The committee of Ways and Means, have examined Senate File No. 86, "A bill for an Act, making an appropriation for, and directing the erection of an Agricultural College," and recommend the same do pass.

W. J. GILCHRIST, Chairman.

The committee on Ways and Means, to whom was referred substitute for Senate File No. 139, "A bill for an Act making further appropriation for the Hospital for the Insane, have instructed me to report the same back and recommend its passage.

W. J. GILCHRIST, Chairman.

The committee on Ways and Means, to whom was referred Senate File No. 195, "A bill for an Act for the improvement of the State Penitentiary," have instructed me to report the same back to this House and recommend that it do pass.

W. J. GILCHRIST, Chairman.

The committee on Ways and Means to whom was referred Senate File No. 158, "A bill for an Act making an appropriation for a new building for the Iowa State University," have instructed me to report the same back to this House and recommend its passage.

W. J. GILCHRIST, Chairman.

The committee on Ways and Means, to whom was referred Senate File No. 105, "A bill for an Act to permanently locate the Asylum for the deaf and dumb, and provide a building for the same," have instructed me to report the same back without recommendation.

W. J. GILCHRIST, Chairman.

Mr. Gilchrist, from committee on Ways and Means, submitted the following report:

I am directed to make the following report on Senate File No. 93, "A bill for an Act to amend Sec. 711 of the Revision of 1860," in relation to exemption of property from taxation." The American Bible Society was organized under the laws of New York in 1816. By the terms of its organization, it is prevented from holding real estate, except its Bible House, and the offices in the city of N. York, necessary for carrying on its business. Its object, as well as the other societies mentioned in the bill, is to print and supply by itself and its auxiliaries, the Scriptures without note or comment at cost, where the recipients can pay, gratuitously to those who can not pay. Since the rebellion commenced, it has distributed more than \$300,000 worth among the soldiers in our army. By the terms of its charter and by the usage and policy of its practice, it holds real estate given or bequeathed no longer than it can effect a sale, and the avails of such sales are applied to the printing and distribution of the Scriptures. The committee have instructed me to recommend its passage.

W. J. GILCHRIST, Chairman.

The committee on Ways and Means to whom was referred Senate File No. 108, "A bill for an Act providing for the erection of an Arsenal Building," have instructed me to report the same back to this House with the recommendation that it do pass.

W. J. GILCHRIST, Chairman.

The committee on Ways and Means to whom was referred the petition of Henry P. Scholte for a revision of the Revenue Law, re-

port back to this House and ask that it be referred to the standing committee on Township and County Organizations.

W. J. GILCHRIST, Chairman.

The report was adopted.

Mr. Merriam offered the following resolution:

*Resolved*, That Senate File No. 195, Senate File No. 158, Senate File No. 86, Senate File No. 139, Senate File No. 108, and Senate File No. 105, be made the special order for next Saturday at 10 o'clock, A. M.

The resolution was adopted.

Mr. Thompson, by leave, called up Senate File No. 69, "A bill for an Act to amend Chap. 67 of the Revision of 1860," and moved that it be recommitted to committee on Agriculture. Carried.

Mr. Holdridge moved that the special order be postponed until 2 o'clock. Carried.

Mr. Sears presented a bill of Dr. Maxwell, which was referred to committee on Claims.

#### REPORTS OF SELECT COMMITTEES.

The Select Committee appointed from cities having special charters, to whom was referred a bill for "An Act to enable incorporated towns and cities to acquire, hold, improve and dispose of lands for public squares, parks and commons, and excepting the same from taxation," have instructed me to report the same back to the House with a substitute, and recommendation that said substitute be passed.

MERRIAM, for Committee.

#### RESOLUTIONS.

Mr. Green offered the following resolution:

*Resolved*, That no member shall speak more than five minutes on any question without the consent of the House.

Mr. Nelson moved that the resolution be laid on the table. Lost.

Mr. Moir moved to strike out "five" and insert "ten." Carried.

The resolution as amended was then adopted.

The further consideration of Senate File No. 89, "A bill for an Act to prohibit the circulation of Foreign Bank Notes in this State was resumed.

Mr. Moir moved that the motion to reconsider be laid on the table. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Carey, Carbee, Cort, Day, Darby, Dorr, Elliott, Fenn, Fry, Fuller, Galland, Green, Gose, Hildreth, Hixson, Hurst, Jeffries, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Maxwell, Mills, McMaken, McNutt, McCall, McCormack, McKnight, O'.

Brien, Parker, Potter, Russell of Jones, Runyon, Sanderson, Sears, Simpson, Stiles, Stanton, Skiles, Spurrier, Sweet, Thompson, Van Sandt and Vinton—49.

The yeas were Messrs. Bell, Buckham, Baylies, Burke, Brown, Campbell, Close, Clark, Davis, Finkbine, Garrett, Glendenning, Gilchrist, Hale, Helm, Holdridge, Joy, Johnson, King, Knox, Latham, Merriam, Magill, Meissner, Munsell, Moir, Nelson, Oliver, Paulk, Perry, Pritchard, Russell of Washington, Richards, Sturgis, Smith, Weare, Wolf and Mr. Speaker—38.

Absent or not voting, Messrs. Bereman, Bruce, Christoph, Horton and White.

The bill passed and the title was agreed to.

Mr. Magill, by leave, called up House Files No. 152, "A bill for an Act to enable incorporated towns and cities to acquire, hold, improve and dispose of lands for public squares, parks, commons, and cemeteries," with the substitute bill reported by the committee.

On motion, the substitute was adopted.

Mr. Magill moved that the bill be read a 3d time now, and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bromley, Bell, Baylies, Burke, Brown, Carey, Campbell, Carbee, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Galland, Glendenning, Green, Gose, Gilchrist, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Moir, McMaken, McNutt, McOall, McCormack, McKnight, O'Brien, Parker, Paulk, Perry, Potter, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Weare, Wolf and Mr. Speaker—67.

The nays were Messrs. Andrews of Keokuk, Buckham, Cort, Close, Hale, Nelson and Oliver—7.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Bruce, Christoph, Garrett, Hildreth, Hixon, Horton, Lathrop, Mills, Munsell, Pritchard, Russell of Jones, Russell of Washington, Richards, Sweet, Vinton and White.

The bill passed, and the title was agreed to.

Mr. Magill moved to take from the table the motion to reconsider the vote by which the enacting clause of Senate File No. 63, "A bill for an Act for the better protection of the School Fund," was stricken out. Lost.

Mr. Paulk, by leave, called up Senate File No. 131, "A bill for an Act to provide for the sale of swamp lands in the several counties of the State," with the amendments recommended by the committee.

On motion, the first and third amendments were adopted.

The second was rejected.

Mr. Paulk offered the following proviso to Sec. 1, which was adopted:

*Provided*, That the words "navigable streams," as used in this Act, shall be construed to mean streams actually navigable by steam boats during the summer months.

Mr. Oliver moved to reconsider the vote by which the words "seventy-five cents" were stricken out, and "one dollar" inserted. Lost.

Mr. Paulk moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Burke, Brown, Carey, Campbell, Carbee, Cort, Clark, Davis, Dorr, Fenn, Garrett, Galland, Glendenning, Green, Gose, Hixson, Helm, Jeffries, Latham, Lindsey, Lyons, Merriam, Meissner, Mills, Moir, McNutt, McCall, Nelson, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Richards, Runyon, Sears, Sturgis, Smith, Van Sandt, Weare, Wolf and Mr. Speaker—46.

The nays were Messrs. Bell, Buckham, Baylies, Day, Darby, Elliott, Fry, Hale, Hildreth, Holdridge, Hurst, Joy, Johnson, King, Knox, Lathrop, Logan, Lindley, Maxwell, McCormack, Oliver, Russell of Washington, Sanderson, Simpson, Stiles, Stanton, Spurrier, Thompson and Vinton—29.

Absent or not voting, Messrs. Bereman, Bruce, Christoph, Close, Fuller, Finkbine, Gilchrist, Horton, Littler, Magill, Munsell, McMaken, McKnight, Potter, Skiles, Sweet, and White.

The bill did not pass.

Mr. Weare moved to reconsider the vote by which the bill was rejected. Carried.

Mr. Magill moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Mr. Moir moved that further proceedings under the call be dispensed with. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Davis, Dorr, Elliott, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hixson, Helm, Holdridge, Jeffries, Latham, Lathrop, Littler, Lindsey, Merriam, Magill, Meissner, Mills, Moir, McMaken, McNutt, McCall, Nelson, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Van Sandt, Weare and Mr. Speaker—57.

The nays were Messrs. Bell, Buckham, Baylies, Burke, Day, Darby, Fry, Hale, Hildreth, Hurst, Joy, Johnson, King, Knox, Logan, Lindley, Lyons, Maxwell, Munsell, McCormack, Oliver, Russell of Washington, Spurrier, Sweet, Thompson, Vinton and Wolf—27.

Absent or not voting, Messrs. Bereman, Bruce, Christoph, Fenn, Horton, McKnight, Stiles and White.

The bill passed and the title was agreed to.

On motion, the House adjourned.

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Two o'clock P. M.

House met pursuant to adjournment.

Mr. Russell, of Jones, moved a call of the House which was seconded.

The Clerk proceeded to call the roll.

Absent without leave, Messrs. Burke, Galland, Jeffries, Lyons and Spurrier.

Mr. Fuller moved that further proceedings under the call be dispensed with. Lost.

Mr. Holdridge, from committee on Engrossed Bills, reported as follows:

The committee on Engrossed Bills to whom was referred substitute for House File, No. 112, have examined the same and find it correctly engrossed.

HOLDRIDGE, Chairman.

Mr. Andrews, of Keokuk, moved that further proceedings under the call be dispensed with. Carried.

Substitute for House File No. 112, "A bill for an Act granting to certain railroad companies an extension of time for completing their roads upon the performance of certain conditions," which was made the special order for this afternoon, was taken up.

Mr. Stiles moved to amend Sec. 1, by inserting in sixth line, after the word "within," the words "claimed to be." Lost.

Mr. Hale moved to amend Sec. 4 as follows: In third line, after the word "of" used second time, insert the words, "such county and." Lost.

Mr. McMaken moved to amend Sec. 4 as follows: Strike out in twelfth line, the words, "the county taxes on its lands within the county," and insert the words, "its county taxes due in such county." Carried.

Mr. Magill moved to amend fourth section by inserting in tenth line, after the word "quantity," the words "and quality." Carried.



Mr. Russell, of Washington, moved to recommit the bill to committee on Railroads. Lost.

Mr. Magill moved that Sec. 9 be stricken from the bill. Carried.

Mr. Green moved to insert the following as Sec. 9: Sections 6 and 7, of Chapter 37, of the Acts of 8th General Assembly, are hereby repealed." Lost.

Mr. Russell, of Jones, moved to amend as follows: Add to Sec. 2 "the words, *Provided, however*, That the right of way for said Lyons Railroad can be obtained within the corporate limits of the city of Clinton." Lost.

Mr. Davis moved to strike out all after the word "Iowa," in Sec. 9. Lost.

Mr. Hale moved to amend the section as follows: Insert in sixth line, between the words "Iowa" and "except," the following: "And all such lands, rights, powers, interests, privileges, and immunities conferred, or intended to be conferred, as aforesaid, shall, upon such failure, revert to, and invest in the State of Iowa, without any further proceedings or legislation whatever; *Provided*, That nothing herein contained shall inure in any manner whatever to the Des Moines Navigation and Railroad Company, or its grantees, unless said grantees are now actual settlers.

Mr. Oliver moved to amend the section as follows: Strike out of second line the words, "perform any of the conditions of this act," and insert the words, "file the several bonds, relinquishments and acceptances, as required by this act, within ninety days from its passage." Lost.

The question recurring on the motion to adopt the amendment of Mr. Hale, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Buckham, Baylies, Carey, Campbell, Clark, Day, Davis, Dorr, Elliott, Fry, Fuller, Finkbine, Garrett, Galland, Green, Hale, Hurst, Jeffries, Knox, Latham, Littler, Lindley, Lindsey, Lyons, Meissner, Mills, Munsell, McNutt, McCormack, McKnight, Potter, Russell of Jones, Russell of Washington, Sears, Stiles, Spurrier, Van Sandt, Wolf and Mr. Speaker—41.

The nays were Messrs. Bromley, Bell, Burke, Brown, Carbee, Cort, Close, Darby, Fenn, Gilchrist, Hildreth, Hixson, Helm, Holdridge, Joy, Johnson, King, Lathrop, Logan, Merriam, Magill, Maxwell, Moir, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Runyon, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Sweet, Thompson, Vinton and Weare—45.

Absent or not voting, Messrs. Bereman, Bruce, Christoph, Glendenning, Horton and White.

The motion did not prevail.

Mr. Magill offered the following amendment to Sec. 9.

"And the lands lying above the Raccoon Fork of the Des Moines river, and sold by the State prior to June 9th, 1854, by this act required to be relinquished by such Railroad companies, shall immediately revert to the State."

Mr. Burke moved to amend, as follows:

In Sec. 9, second line after the word "fail," insert the word "substantially." Lost.

Mr. Oliver moved to amend Mr. Magill's amendment, as follows:

"And also those selected under the swamp land grant and sold by any county prior to January 1st, 1861. Lost.

The question recurring on the motion to adopt the amendment of Mr. Magill, it was decided in the negative.

Mr. Vinton moved that the bill be read a 3d time and put upon its passage.

Mr. Russell of Jones moved to amend Sec. 9 as follows:

"The Cedar Rapids and Missouri River Railroad Company shall build or cause to be built, equipped and operated that portion of the Eastern Division of the main line of the Iowa Central Air Line Railroad, commencing at the point of intersection of the Lyons Branch of the main line, near Maquoketa, from thence due west to Marion in Linn County, as specified in the act of Congress making a grant of lands to the State, approved May 15th, 1856."

Mr. Stiles moved to amend the amendment, as follows:

"All lands which may in any manner be laid claim to by said Railroads without regard to any right or rights, legal or equitable, of any person or persons whomsoever."

Mr. Magill moved the previous question, which was seconded.

On the question "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the amendment of Mr. Stiles, it was decided in the negative.

The question recurring on the amendment of Mr. Russell, the yeas and nays were demanded and ordered resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Buckham, Carey, Campbell, Carbee, Clark, Day, Davis, Dorr, Elliott, Fry, Fuller, Galland, Green, Hale, Jeffries, Knox, Littler, Lindsey, Merriam, Meissner, Munsell, McNutt, McCormack, McKnight, Potter, Russell of Jones, Sturgis, Van Sandt, Wolf and Mr. Speaker—31.

The nays were Messrs. Andrews of Decatur, Bromley, Ball, Baylies, Brown, Cort, Close, Darby, Fenn, Finkbine, Garrett, Gose, Gilchrist, Hildreth, Hixson, Helm, Holdridge, Joy, Johnson, Latham, Lathrop, Logan, Lindley, Lyons, Magill, Maxwell, Mills, Moir, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Runyon, Sanderson, Simpson, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Vinton, and Weare—49.

Absent or not voting, Messrs. Bereman, Bruce, Burke, Chris-

toph, Glendenning, Horton, Hurst, King, Russell of Washington, Sears, Stiles and White.

The motion did not prevail.

The question recurring on the motion of Mr. Vinton, it was decided in the affirmative.

Mr. Oliver moved a call of the House.

The Clerk proceeded to call the roll.

Absent without leave Mr. Russell of Washington.

Mr. Finkbine moved that further proceedings under the call be dispensed with. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bromley, Bell, Baylies, Burke, Brown, Carbee, Cort, Close, Darby, Fenn, Finkbine, Gose, Gilchrist, Hildreth, Hixson, Holdridge, Jeffries, Johnson, King, Lathrop, Logan, Lindley, Magill, Maxwell, Mills, Moir, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Runyon, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson Van Sandt and Vinton—47.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Buckham, Carey, Campbell, Clark, Day, Davis, Dorr, Elliott, Fry, Fuller, Garrett, Galland, Glendenning, Green, Hale, Helm, Hurst, Joy, Knox, Latham, Littler, Lindsey, Lyons, Merriam, Meissner, Munsell, McMaken, McCormack, McKnight, Paulk, Potter, Russell of Jones, Richards, Stiles, Weare, Wolf and Mr. Speaker—39.

Absent or not voting, Messrs. Bereman, Bruce, Christoph, Horton, Russell of Washington and White.

The bill passed, the title amended and agreed to.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
FRIDAY, March 18, 1864. }

Prayer by Rev. J. A. Nash.

Journal of yesterday read and approved.

Mr. Littler asked for leave of absence for Mr. Lyons. Granted.

Mr. Van Sandt asked for leave of absence for Mr. Gose. Granted.

#### PETITIONS.

Mr. Mills presented the petition of J. A. Robinson and others, praying for a change in the State road running from Briton to Rich-

land. Referred to committee on County and Township Organizations.

#### REPORTS OF COMMITTEES.

The committee on Schools and State University, to whom was referred House File No. 46, "A bill for an Act fixing the rate of interest on the School Fund," have considered the bill, and instructed me to report the same back without recommendation.

HILDRETH, Chairman.

**MR. SPEAKER:**—The joint committee on Enrolled Bills beg leave to report that they have examined House Files No. 21, 23, 22, and Senate File No. 196, and Joint Resolution authorizing the payment of claim of S. T. Pierce, of Southern Border Brigade, find the same correctly enrolled, and present them for your signature.

ALEX. RUNYON, Chairman.

**MR. SPEAKER:**—The joint committee on Enrolled Bills beg leave to report that they have presented to his Excellency the Governor, for his approval, House Files Nos. 74, 17, 148, 90, 71, 67, and 129.

ALEX. RUNYON, Chairman.

Your committee, to whom was referred House Files No. 26, entitled "A bill for an Act to provide for the publication of certain laws in the several counties of the State," have had the same under consideration, and have instructed me to report the same back to this House and recommend its passage, with the following amendment, to wit:

Add to section first the words, "*Provided*, That in any county in this State in which a paper is published in the German language, such German paper shall be one of the two in which said laws shall be published.

S. McNUTT, Chairman.

#### INTRODUCTION OF BILLS.

Mr. Johnson, from committee on Military Affairs, introduced House File No. 163, "A bill for an Act to provide for the payment of the claims of certain officers and soldiers of Iowa regiments. Read a first and second time.

Mr. Johnson moved that the rule be suspended, the bill read a third time now, and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bromley, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Finkbine, Garrett, Galland,

Glendenning, Hale, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McMaken, McCall, McCormack, Oliver, O'Brien, Parker, Paulk, Pritchard, Potter, Russell of Jones, Russell of Washington, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Smith, Spurrier, Stanton, Thomson, Van Sandt, Vinton and Wolf—88.

The nays were Messrs. Bell, Brown, Cort, Fuller, Green, Hurst, Magill, Nelson, Richards, Skiles, Sweet and Mr. Speaker—12.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Bruce, Christoph, Gose, Gilchrist, Horton, Lyons, McKnight, Perry, Weare and White.

The bill passed and the title was agreed to.

Mr. Moir introduced House File No. 164, "A bill for an Act fixing the time for holding court in the counties of Wright, Hancock, Winnebago, Worth, Cerro Gordo and Franklin, in the 11th Judicial District." Read a first and second time.

Mr. Moir moved that the rule be suspended, the bill be read a third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Darby, Davis, Elliott, Fenn, Garrett, Galland, Glendenning, Green, Gilchrist, Hale, Hixson, Helm, Holdridge, Jeffries, Joy, King, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Merriam, Magill, Maxwell Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Paulk, Parker, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thomson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—72.

The nays were Messrs. Day, Fry, Fuller, Hildreth and Meissner—5.

Absent or not voting, Messrs. Bereman, Bruce, Christoph, Dorr, Finkbine, Gose, Horton, Hurst, Johnson, Lindley, Lyons, Mills, McKnight, Perry and White.

The bill passed and the title was agreed to.

Mr. Paulk moved that Substitute for House Files No. 70 and 110, "A bill for an Act to provide for the collection of Taxes," be made special order for next Monday at 10 o'clock, A. M. Carried.

Mr. Stiles, by leave, introduced House File No. 165, "A bill for an Act to amend Sec. 4874 of Chap. 173 of the Revision of 1860," read a 1st and 2d time.

Mr. Hildreth moved to amend by putting alcohol and other spiritous liquors among the list of poisons. Lost.

Mr. Stiles moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gilchrist, Hixson, Helm, Holdridge, Jeffries, Johnston, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Perry, Pritchard, Potter, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Stiles, Stanton, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf and Mr. Speaker—71.

The nays were Messrs. Hale, Hildreth, Joy, King, Parker, Paulk, Russell of Jones, Sturgis and Smith—9.

Absent or not voting Messrs. Bereman, Bruce, Christoph, Gose, Horton, Hurst, Lyons, Magill, McCormack, McKnight, Vinton and White.

The bill passed and the title was agreed to.

The hour for special order, House File No. 161, "A bill for an Act to ascertain the citizens entitled to the right of suffrage and to prevent fraudulent voting," having arrived, on motion of Mr. Finkbine the House resolved itself into committee of the whole, on the bill, Mr. Paulk in the chair.

The committee rose, reported progress, and recommended that the bill do not pass.

On the motion to adopt the report the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Buckham, Baylies, Brown, Campbell, Cort, Christoph, Day, Davis, Elliott, Fry, Finkbine, Garrett, Hurst, Jeffries, Joy, King, Knox, Latham, Merriam, Magill, Maxwell, Meissner, Munsell, McMaken, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Russell of Washington, Richards, Sears, Stiles, Stanton, Smith, Spurrier, Sweet, Van Sandt, Weare and Wolf—45.

The nays were Messrs. Andrews of Keokuk, Bromley, Bell, Burke, Carey, Carbee, Close, Clark, Darby, Dorr, Fenn, Fuller, Galland, Glendenning, Green, Hale, Hildreth, Hixson, Helm, Holdridge, Johnson, Lathrop, Logan, Littler, Lindley, Lindsey, Mills, Moir, McNutt, Parker, Potter, Russell of Jones, Runyon, Sanderson, Simpson, Sturgis, Skiles, Thompson, Vinton and Mr. Speaker—40.

Absent or not voting, Messrs. Bereman, Bruce, Gose, Gilchrist, Horton, Lyons, and White.

The motion prevailed.

Mr. Joy, by leave, called up House File, No. 142, "A bill for an Act entitled an act to legalize the levy and collection of certain taxes within the corporate limits of Sioux City," and on motion, the bill was read a 3d time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendinning, Green, Hildreth, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, King, Knox, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, Parker, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Wolf and Mr. Speaker—73.

The nays were Messrs. Bell, O'Brien, Simpson, Sweet, and Vinton.—5.

Absent or not voting, Messrs. Bereman, Bruce, Gose, Gilchrist, Hale, Horton, Johnston, Latham, Lyons, Paulk, Perry, Sears, Weare and White.

The bill passed and the title was agreed to.

Mr. Merriam, by leave, called up Senate File No. 101, "A bill for an Act to provide for the redemption of war and defence Fund Warrants, and for appointing a commissioner to settle claims against the United States, and fixing his compensation," with the amendments recommended by the committee.

On motion, the amendments were adopted.

Mr. Russell of Jones, moved to amend as follows:

In 2d Section strike out the words "the Auditing Commissioner." Carried.

Mr. Latham moved to amend as follows:

In Sec. 1st, fourth line, strike out the word "approved," and insert the word "legalized." Carried.

Mr. Russell of Jones, moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Galland, Green, Hale, Hixson, Helm, Hurst, Jeffries, Joy, Johnson, King, Knox, Latham, Logan, Littler, Lindley, Lindsey, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCormack, McKnight, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Wolf and Mr. Speaker—69.

The nays were Messrs. Finkbine, Hildreth, Lathrop, Munsell, O'Brien, Paulk, Russell of Washington, Sweet, and Vinton—9.

Absent or not voting, Messrs. Bereman, Bruce, Christoph, Garrett, Glendenning, Gose, Gilchrist, Horton, Holdridge, Lyons, McCall, Van Sandt, Weare and White.

The bill passed, and the title was agreed to.

Mr. Russell of Washington, by leave, introduced the following resolution, which on motion, was adopted.

*Resolved*, That Dr. Joseph Parrish of Washington, D. C., Agent of the U. S. Sanitary Commission, be and he is hereby invited to lecture before the members of this General Assembly, in this Hall this evening at 7½ o'clock.

On motion, the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Skiles, by leave, called up House File No. 128, "A bill for an Act to increase the per diem of Township Assessors."

Mr. Nelson moved to strike out the publication clause. Carried.

Mr. Paulk moved that the bill be read a 3d time, and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bell, Buckham, Baylies, Brown, Carbee, Clark, Darby, Davis, Elliott, Finkbine, Gilchrist, Hildreth, Helm, Holdridge, Jeffries, Joy, Lathrop, Merriam, Maxwell, Moir, McNutt, McCall, Nelson, Oliver, Parker, Paulk, Pritchard, Runyon, Sanderson, Sears, Sturgis, Smith, Skiles, Sweet, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—40.

The nays were Messrs. Carey, Campbell, Cort, Christoph, Close, Day, Dorr, Fry, Garrett, Glendenning, Green, Hixson, Hurst, Johnson, King, Knox, Latham, Littler, Lindley, Magill, Mills, Munsell, McMaken, McCormack, O'Brien, Potter, Russell of Jones, Russell of Washington, Richards, Simpson, Stiles, Stanton, Spurrer and Weare—34.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Bruce, Bromley, Burke, Fenn, Fuller, Galland, Gose, Hale, Horton, Logan, Lindsey, Lyons, Meissner, McKnight, Perry and White.

The bill did not pass.

Mr. Magill moved that the vote by which the bill was lost, be reconsidered.

Mr. Russell, of Jones, moved to lay the motion on the table.

Mr. Nelson moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.



Mr. Russell, of Jones, moved that further proceedings under the call be dispensed with. Carried.

The question recurring on the motion to lay on the table, it was lost.

The question recurring on the motion to reconsider, it was decided in the affirmative.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bell, Buckham, Burke, Darby, Davis, Elliott, Fenn, Finkbine, Galland, Gilchrist, Hildreth, Helm, Holdridge, Jeffries, Joy, King, Lathrop, Merriam, Magill, Maxwell, Moir, McCall, McKnight, Oliver, Parker, Paulk, Runyon, Sanderson, Sears, Smith, Skiles, Sweet, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—38.

The nays were Messrs. Messrs. Andrews of Keokuk, Baylies, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Dorr, Fry, Fuller, Garrett, Glendenning, Green, Hixson, Hurst, Johnson, Knox, Latham, Logan, Littler, Lindley, Mills, Munsell, McMaken, McNutt, McCormack, Nelson, O'Brien, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Simpson, Sturgis, Stiles, Stanton, Spurrier and Weare—43.

Absent or not voting, Messrs. Bereman, Bruce, Bromley, Gose, Hale, Horton, Lindsey, Lyons, Meissner, Perry and White.

The bill was rejected.

Mr. Cort, by leave, called up House File No. 46, "A bill for an Act fixing the rate of Interest on the School Fund."

Mr. Richards moved to amend Sec. 1, by striking out the word "six," and inserting the word "eight."

Mr. Fry moved to amend the amendment by inserting the word "seven" for that of "eight." Lost.

The question recurring on the motion of Mr. Richards, it was decided in the affirmative.

Mr. Merriam moved to amend as follows:

Sec. 2. Hereafter no school lands shall be sold for less than one dollar and twenty-five cents per acre.

Mr. Oliver moved to amend by striking out "one dollar and twenty-five cents," and inserting "two dollars and fifty cents."

Mr. McNutt moved to add the following proviso to Sec. 1:

"*Provided*, That the rate of interest in moneys now loaned, shall not be reduced below ten per cent. by this act. Lost.

Mr. Close moved to amend Sec. 1, as follows:

Insert the words "not less than." before the words "eight per cent." Carried.

The question recurring on the motion to adopt the amendment of Mr. Oliver, it was decided in the negative.

The question recurring on the motion to adopt the amendment offered by Mr. Merriam, it was decided in the affirmative.

Mr. Elliott moved to strike out the last section. Lost.

Mr. Russell of Jones, offered the following as an additional Section

SEC. 2. The Board of Supervisors of each county in this State shall at their meeting in June of each year, ascertain the amount of permanent school fund, if any in the hands of the County Treasurer, and if the amount on hand shall at that time exceed the sum of one thousand dollars, and in the opinion of the said Board of Supervisors, it cannot be loaned within the county under the requirements of the law. Then the Board of Supervisors shall order the County Treasurer to transmit the amount in his hands to the State Treasurer, to be invested by the State Treasurer in United States stock, said investment to be approved by the Census Board. Adopted.

Mr. Finkbine moved to amend as follows:

SEC. 4. Whenever the Board of Supervisors of any county shall find it necessary to effect the ends of justice, they may by resolution, assign without recourse, any school fund claim to any person having a subsequent lien on the premises affected by such claim, upon the full payment of the amount due the said fund, but not otherwise. Adopted.

Mr. Richards moved that the bill be engrossed and be made the special order for Tuesday next at 2 o'clock P. M. Lost.

Mr. Russell of Jones, moved that the bill be read a 3d time and put upon its passage. Carried.

Mr. Andrews of Keokuk, moved that the vote by which the bill was ordered to third reading, be reconsidered. Lost.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bromley, Buckingham, Baylies, Brown, Campbell, Cort, Christoph, Olose, Clark, Darby, Day, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gilchrist, Hale, Hixon, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—76.

The nays were Messrs. Andrews of Keokuk, Bell, Burke, Caroy, Carbee, Hildreth, McNutt and McCormack—8.

Absent or not voting, Messrs. Bereman, Bruce, Gose, Horton, Lyons, Magill, McKnight and White.

The bill passed and the title was agreed to.

Mr. Merriam by leave, offered the following resolution:

*Resolved*, That the per diem of the officers of this House, for the present session, shall be as follows, to wit:

Chief Clerk.....	\$6 00
Assistant Clerks, each.....	5 00
Enrolling and Engrossing Clerk, each.....	4 00
Sergeant-at-Arms.....	4 00
Doorkeeper.....	4 00
Firemen, each.....	4 00
Paper-folders, each.....	3 00
Messengers, each.....	3 00

Mr. Paulk moved to amend by striking out "four dollars for doorkeeper," and inserting "three dollars." Lost.

Mr. Green moved to amend by striking out "three dollars" for paper-folders and messengers, and inserting "two dollars and fifty cents." Lost.

The question recurring on the motion to adopt the resolution, it was decided in the affirmative.

Senate File No. 123, "A bill for an Act authorizing the transmission of funds to pay the interest on State Bonds," was taken up.

Mr. Oliver moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Finkbine, Garrett, Galland, Glendenning, Green, Gilchrist, Hildreth, Hixson, Helm, Hurst, Holdridge, Joy, King, Latham, Lathrop, Littler, Lindley, Lindsey, Merriam, Magill, Munsell, Maxwell, Mills, Moir, McMaken, McNutt, McCall, Oliver, O'Brien, Parker, Paulk, Perry, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—73.

The nays were Messrs. Hale, Neison and Pritchard—3.

Absent, or not voting, Messrs. Bereman, Bruce, Bell, Carbee, Fuller, Gose, Horton, Jeffries, Johnson, Knox, Logan, Lyons, Meissner, McCormack, McKnight and White.

The bill passed, and the title was agreed to.

Senate File No. 77, "A bill for an Act to prevent male stock from running at large," was taken up, with the amendment offered by the committee.

On motion, the amendment was adopted.

Mr. Oliver moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Burke, Brown, Carey, Campbell, Carbee, Cort,

Christoph, Close, Darby, Davis, Dorr, Fenn, Fuller, Green, Gilchrist, Hildreth, Hixson, Helm, Hurst, Holdridge, King, Knox, Lathrop, Littler, Lindley, Lindsey, Merriam, Maxwell, Mills, Munsell, Moir, McMaken, McCall, Nelson, O'Brien, Parker, Perry, Potter, Richards, Runyon, Sanderson, Simpson, Sturgis, Stiles, Stanton, Sweet, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—55.

The nays were Messrs. Buckham, Baylies, Clark, Day, Fry, Finkbine, Garrett, Glendenning, Hale, Jeffries, Joy, Johnson, Latham, Logan, Magill, McNutt, McCormack, Oliver, Paulk, Pritchard, Sears, Spurrier and Weare—23.

Absent or not voting, Messrs. Bereman, Bruce, Elliott, Galland, Gose, Horton, Lyons, Meissner, McKnight, Russell of Jones, Russell of Washington, Smith, Skiles and White.

The bill passed and the title was agreed to.

Substitute for House File No. 109, "A bill for an Act to provide for the settlement of swamp lands claims with the United States," was taken up.

On motion, the Substitute Bill reported by committee was adopted.

Mr. Moir moved to strike out of Sec. 14, the words "be it further enacted." Carried.

Mr. Sears moved to strike out of Sec. 11 sixth line, the words "to pay traveling expenses and expense money." Lost.

Mr. Russell of Jones, moved that the bill be read a 3d time and put upon its passage. Carried.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Clark, Day, Darby, Davis, Dorr, Elliott, Fuller, Garrett, Galland, Glendenning, Green, Gilchrist, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McCall, Nelson, Oliver, Perry, Potter, Russell of Jones, Richards, Runyon, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Wolf and Mr. Speaker—67.

The nays were Messrs. Bell, Close, Fenn, McCormack, McKnight, O'Brien, Parker, Paulk, Pritchard, Sears, Sweet, Vinton and Weare—13.

Absent or not voting, Messrs. Bereman, Bruce, Fry, Finkbine, Gose, Horton, Latham, Lyons, Magill, McNutt, Russell of Washington and White.

The bill passed and the title was agreed to.

House File No. 189, "A bill for an Act to provide relief for the families of Iowa soldiers," was taken up.

Mr. Oliver moved that the bill be laid upon the table. Carried.

House File No. 78, "A bill for an Act authorizing the trustees of the Agricultural Farm to sell certain lands at not less than one dollar per acre," was taken up with the amendments recommended by the committee.

On motion the amendment was adopted.

Mr. Paulk offered the following:

SEC. 7. "No lands shall be sold under the provision of this act until the selection made by the agent appointed for that purpose, shall have been confirmed by the proper authorities at Washington." Adopted.

On motion, the bill was read a 3d time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bromley, Bell, Buckham, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gilchrist, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Littler, Lindley, Lindsey, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—79.

The nays were none.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Bruce, Baylies, Gose, Horton, Logan, Lyons, McCormack, McKnight, Sturgis, Weare and White.

The bill passed and the title was agreed to.

House File No. 31, "A bill for an Act to prohibit profanity and obscenity," was taken up.

Mr. Paulk moved to lay the bill on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Buckham, Baylies, Burke, Brown, Carbee, Christoph, Close, Clark, Elliott, Fuller, Finkbine, Galland, Green, Gilchrist, Holdridge, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Magill, Meissner, Mills, Moir, McCall, McCormack, Nelson, Oliver, O'Brien, Paulk, Perry, Sears, Sturgis, Stiles, Spurrier, Vinton Wolf and Mr. Speaker—40.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Carey, Campbell, Cort, Day, Darby, Davis, Dorr, Fenn, Fry, Garrett, Glendenning, Hildreth, Helm, Hurst, Jeffries, Littler, Lindley, Lindsey, Merriam, Munsell, McMaken, McNutt, McKnight, Parker, Pritchard, Potter, Russell of Washington, Richards, Runyon, Sanderson, Simpson, Stanton, Smith, Skiles, Sweet, Thompson, Van Sandt and Weare—42.

Absent or not voting, Messrs. Bereman, Bruce, Gose, Hale, Hixson, Horton, Lyons, Maxwell, Russell of Jones, and White.

The motion did not prevail.

Mr. Sturgis moved that the bill be indefinitely postponed.

Mr. Runyon, from committee on Enrolled Bills, reported as follows:

MR. SPEAKER:—The Joint Committee on Enrolled Bills, beg leave to report that they have examined Senate File No. 89, find the same correctly enrolled and present it for your signature.

ALEX. RUNYON, Chairman.

Mr. Hildreth moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Absentees, none.

The question recurring on the motion to indefinitely postpone, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Buckham, Baylies, Burke, Campbell, Cort, Christoph, Clark, Elliott, Fuller, Finkbine, Galland, Green, Gilchrist, Hale, Holdridge, Joy, Johnson, Knox, Latham, Lathrop, Logan, Merriam, Magill, Meissner, Moir, McCall, McCormack, McKnight, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Simpson, Sturgis, Stiles, Smith, Skiles, Spurrier, Vinton, Wolf and Mr. Speaker—45.

The nays were Messrs. Andrews of Keokuk, Bromley, Bell, Brown, Carey, Carbee, Close, Day, Darby, Davis, Dorr, Fenn, Fry, Garrett, Glendenning, Hildreth, Hixson, Helm, Hurst, Jeffries, Littler, Lindsey, Lindley, Maxwell, Mills, Munsell, McMaken, McNutt, Nelson, Potter, Russell of Washington, Richards, Runyon, Sanderson, Sears, Stanton, Sweet, Thompson, Van Sandt and Weare—40.

Absent or not voting, Messrs. Bereman, Bruce, Gose, Horton, King, Lyons and White.

The motion prevailed.

On motion, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
SATURDAY, March 19th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. W. O. Eggleston.

Journal of yesterday read and approved.

#### PETITIONS.

Mr. Logan presented the petition of C. Arnold and others, pray-

ing for the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Darby presented the petition of B. McCarty, praying for a change in the revenue law. Referred to committee on Ways and Means.

#### REPORTS OF COMMITTEES.

The committee on Schools and State University, to whom was referred Senate File No. 113, "A bill for an Act authorizing the Trustees of the State University to sell the saline lands, and for other purposes," have considered the bill and amendments, and have instructed me to report back the same and recommend their passage.

HILDRETH, Chairman.

MR. SPEAKER:—The Joint Committee on Enrolled Bills beg leave to report that they have examined House File, No. 6, find the same correctly enrolled, and present it for your signature.

ALEX. RUNYON, Chairman.

MR. SPEAKER:—The joint committee on Enrolled Bills beg leave to report that they have presented to his Excellency the Governor, for his approval, House Files Nos. 21, 22 and 33.

ALEX. RUNYON, Chairman.

The standing committee on Railroads, to whom was referred Senate File No. 142, "A bill for an Act to facilitate the construction and operation of Railroads in the State of Iowa," have instructed me to report the same back, and recommend that it do pass.

MAGILL, Chairman.

The standing committee on Railroads, to whom was referred House File No. 84, have instructed me to report the same back, and recommend that it be passed.

MAGILL, Chairman.

MR. SPEAKER:—The committee on Charitable Institutions, to whom was referred Senate File No. 153, "A bill for an Act to fix the compensation of guards of the Iowa Penitentiary, have instructed me to report the same back, with the recommendation that it pass.

FINKBINE, Chairman.

MR. SPEAKER:—The committee on Agriculture, to whom were referred House Files Nos. 130 and 153, and Senate File No. 69, "Bills amending the Laws relating to Agricultural Societies," have had the whole under consideration, and have instructed me to report the accompanying substitute, which embraces all the legisla-

tion considered necessary on the subject, and to recommend that the substitute be adopted by the House and put upon its passage.

H. M. THOMPSON, Chairman.

The committee on Roads and Highways, to whom was referred a petition of certain citizens of Washington and Keokuk counties, in relation to a certain State road, have had the subject under consideration, and have instructed me to report that, in the opinion of your committee, legislation on this subject is forbidden by the State constitution.

E. DORR, Chairman.

The report was adopted.

#### RESOLUTIONS.

Mr. Johnson offered the following resolution :

*Resolved*, That the standing committee on elections be instructed to prepare and report to this House a bill providing for a registry law, the provisions of which shall be applicable only to incorporated towns and cities.

Mr. Oliver moved to amend by striking out the word "towns." Carried.

The question recurring on the motion to adopt the resolution as amended, it was decided in the affirmative.

Mr. Finkbine offered the following resolution :

*Resolved*, That in acknowledging the invitation of the committee of arrangements appointed at a meeting of the citizens and a portion of the members of this General Assembly, convened at the Capitol, on the 5th March inst., to attend the "North Western Ship Canal Convention," we do hereby express our emphatic approval of the objects of that Convention, viz: to induce Congress to take measures to remove the obstructions of, or build a Ship Canal around the rapids of the Mississippi River, and also to construct a Ship Canal from the Mississippi River opposite the eastern border of the State of Iowa, to Lake Michigan, as a matter of vast importance to the commercial and Agricultural interests of Iowa and the North-West.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bill:

House File No. 94, "A bill for an Act to amend an act entitled An Act for the government and regulation of the State University of Iowa," with the following amendment.

Strike out of publication clause, the words "Iowa Homestead," and insert "Iowa Statesman."

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Sec. Senate.



Cort, Christoph, Close, Clark, Day, Davis, Dorr, Elliott, Fuller, Garrett, Hale, Jeffries, Knox, Lindley, Munsell, McCormack, Oliver, O'Brien, Paulk, Russell of Washington, Simpson, Stiles, Stanton, Sweet and Van Sandt,—29.

Absent or not voting, Messrs. Bereman, Bruce, Gose, Horton, King, Lyons and White.

The bill passed and the title was agreed to.

Senate File No. 86, "A bill for an Act making an appropriation for and directing the erection of an Agricultural College," was taken up.

Mr. Dorr moved to amend by striking out of Sec. 1, "\$20,000," and inserting "\$25,000." Lost.

Mr. Russell of Washington, moved to amend Sec. 2, as follows:

Strike out "\$50,000," and insert "\$20,000." Lost.

Mr. Russell of Washington, moved to strike out "\$50,000," and insert "\$25,000." Lost.

Mr. Maxwell moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Glendenning, Green, Gilchrist, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Wolf and Mr. Speaker—77.

The nays were Messrs. Day, McCormack, Russell of Washington, Sweet and Vinton—5.

Absent or not voting, Messrs. Bereman, Bruce, Bell, Galland, Gose, Horton, King, Lyons, Weare and White.

The bill passed and the title was agreed to.

Substitute for Senate File No. 139, "A bill making an appropriation for the Insane Asylum," was taken up.

Mr. Nelson moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Finkbine, Garrett, Glendenning, Green, Gilchrist, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge,

Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Russell of Washington, Richards, Runyon, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—70.

The nays were Messrs. Andrews of Decatur, Cort, Christoph, Fenn, Fry, Fuller, Meissner, O'Brien, Potter, Simpson and Sweet—10.

Absent or not voting, Messrs. Bereman, Bruce, Burke, Galland, Gose, Horton, King, Lyons, Russell of Jones, Weare and White. The bill passed and the title was agreed to.

Senate File No. 108, "A bill for an Act providing for the erecting of an Arsenal Building," was taken up.

Mr. McNutt moved to amend so as to locate the building at Muscatine. Lost.

Mr. Vinton moved to strike out the enacting clause of the bill, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Burke, Cort, Close, Day, Fuller, Hildreth, Magill, Meissner, McCormack, O'Brien, Pritchard, Potter, Russell of Jones, Sanderson, Sears, Sturgis, Sweet and Vinton—18.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Christoph, Clark, Darby, Davis, Dorr, Fenn, Fry, Garrett, Galland, Glendenning, Green, Gilchrist, Hale, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, McCall, Neison, Oliver, Parker, Paulk, Perry, Russell of Washington, Richards, Runyon, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Weare, Wolf and Mr. Speaker—64.

Absent or not voting, Messrs. Bereman, Bruce, Elliott, Finkbine, Gose, Horton, King, Lyons, McKnight and White.

The motion did not prevail.

Mr. Paulk moved to amend Sections 1 and 2, by striking out the words "or near." Lost.

Mr. Moir moved to amend second section by adding the following:

"*Provided*, The necessary and proper grounds for said Arsenal can be obtained without expense to the State."

Mr. Sanderson moved to amend by inserting "Davenport." Lost.

The question recurring on the motion of Mr. Moir, it was decided in the affirmative.

Mr. Hixson moved to amend by striking out "Des Moines" and inserting "Marshalltown."

Mr. Galland moved to amend the amendment of Mr. Moir as follows: "Or on the ground now owned by the State." Lost.

Mr. Moir moved that the bill be read a third time, and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Christoph, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gilchrist, Hale, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Maxwell, Mills, Munsell, Moir, McNutt, McCall, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Russell of Washington, Richards, Runyon, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Weare, Wolf and Mr. Speaker—70.

The nays were Messrs. Cort, Close, Day, Hildreth, Magill, Meissner, McMaken, McCormack, O'Brien, Potter, Russell of Jones, Sanderson, Sweet and Vinton—14.

Absent or not voting, Messrs. Bereman, Bruce, Gose, Horton, King, Lyons, McKnight and White.

The bill passed, and the title was agreed to.

On motion, the House adjourned.

Two o'clock P. M.

House met pursuant to adjournment.

Mr. Sears moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Absent, Messrs. Bromley, Bell, Darby, Gilchrist, Hale, Lindsey, Meissner, Russell of Washington, Spurrier and Skiles.

Mr. Moir moved that further proceedings under the call be dispensed with. Carried.

Mr. Merriam offered the following joint resolution:

MR. SPEAKER:—I am instructed by the joint committee of Ways and Means of the General Assembly to present the following joint resolution:

*Resolved by the House of Representatives, the Senate concurring,*  
That the per diem allowance of the Janitor of the Capitol be \$3,00;

that the per diem of each of the Postmasters, while in the service of the General Assembly, be \$3,00; carrying the mail, \$2,55.

Mr. Johnson moved to amend by striking out "\$3,00," for Janitor, and inserting "\$4,00." Carried.

Mr. Helm moved to amend by striking out "\$3,00," for Postmaster, and inserting "\$4,00." Lost.

On motion, the resolution was adopted.

Mr. Fry asked for leave of absence for Mr. Garrett. Granted.

Senate File No. 105, "A bill for an Act to provide for the erection and permanent location of the Deaf and Dumb Asylum," was taken up.

Mr. Vinton moved to amend by striking out "Des Moines," and inserting "Grinnell, Poweshiek County."

Mr. McNutt moved to insert "West Liberty, Muscatine County." Lost.

Mr. Brown moved to strike out "Grinnell," and insert "Decorah, Winneshiek County, Iowa." Lost.

Mr. Hildreth moved to amend by striking out "Grinnell," and inserting "Charles City, in county of Floyd." Lost.

Mr. Close moved to strike out "Grinnell," and insert "Waterloo, Black Hawk County." Lost.

Mr. Bromley moved to amend as follows:

SECTION. 1. *Be it enacted by the General Assembly of the State of Iowa,* That we recommend that the deaf and dumb in the State be equally divided between Des Moines, West Liberty, Grinnell, Waterloo, Iowa City, Decorah and Charles City." Lost.

Mr. Pritchard moved to strike out Grinnell, Poweshiek County," and insert "Amsterdam, Hancock County."

Mr. Moir moved the previous question, which was scconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion of Mr. Pritchard, it was lost.

The question recurring on the motion of Mr. Vinton, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bromley, Burke, Campbell, Carbee, Cort, Dorr, Fry, Garrett, Green, Hildreth, Hixson, Helm, Lathrop, Logan, Littler, Merriam, Magill, Mills, Moir, McMaken, McCormack, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Sears, Sturgis, Stanton, Skiles, Spurrier, Thompson, Vinton and Weare—34.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bell, Buckham, Baylies, Brown, Carey, Christoph, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Finkbine, Galland, Gilchrist, Glendenning, Hale, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lindley, Meissner, Munsell, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Richards, Simpson, Stiles, Smith, Sweet, Van Sandt, Wolf and Mr. Speaker—44.

Absent or not voting, Messrs. Bereman, Bruce, Fuller, Gose, Horton, Hurst, King, Lindsey, Lyons, Maxwell, Russell of Washington, Runyon, Sanderson and White.

It was decided in the negative.

On the question shall the bill be read a 3d time by its title and put upon its passage, it was decided in the affirmative.

Mr. Finkbine moved that the bill be recommitted, with instructions. Lost.

Mr. Cort moved that the vote by which the bill was ordered to a 3d reading, be reconsidered. Lost.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Baylies, Brown, Clark, Darby, Davis, Elliott, Fenn, Fuller, Finkbine, Galland, Hale, Lindley, Merriam, Maxwell, McNutt, McCall, McKnight, Nelson, O'Brien, Russell of Washington, Runyon, Skiles, Thompson, Van Sandt, Wolf and Mr. Speaker—30.

The nays were Messrs. Buckham, Carey, Campbell, Cort, Christoph, Dav, Dorr, Fry, Glendenning, Green, Gilchrist, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Magill, Meissner, Mills, Munsell, Moir, McMaken, McCormack, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Richards, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Spurrier, Sweet, Vinton, and Weare—47.

Absent or not voting, Messrs. Bereman, Bruce, Burke, Carbee, Close, Garrett, Gose, Horton, Hurst, King, Lindsey, Lyons, Russell of Jones, Stiles and White.

The bill did not pass.

Mr. Littler by leave, presented a communication from the Soldiers Aid Society of Crawfordsville, Iowa, in regard to Mrs. Wittenmyer. Referred to committee on Sanitary Affairs.

House File No. 113, "A bill for an Act to amend Chap. 102 of the acts of the regular session of the 9th General Assembly, in reference to estrays, was taken up with the amendments recommended by the committee.

Mr. Paulk moved to amend by inserting the word "enclosed" before the word "premises." Carried.

The amendments as amended, were adopted.

Mr. Bell moved that the bill be read a 3d time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bromley, Bell, Buckham, Brown, Cort, Christoph, Close, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Galland, Green, Gilchrist, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, La-

throp, Logan, Lindley, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Stiles, Skiles, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—59.

The nays were Messrs. Andrews of Keokuk, Baylies, Carey, Campbell, Carbee, Day, Fry, Glendenning, Hale, Knox, Latham, Littler, Parker, Stanton, Smith, Spurrier and Sweet—17.

Absent or not voting, Messrs. Bereman, Bruce, Burke, Garrett, Gose, Horton, Hurst, King, Lindsey, Lyons, Munsell, McKnight, Potter, Sturgis, Weare and White.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER :—I am directed to inform the House that the Senate has concurred in the House amendments to Senate File No. 101, "A bill for an Act to provide for the redemption of War and Defense Fund Warrants, and authorizing the Governor to settle claims against the United States, and fixing his compensation."

Senate File No. 131, "A bill for an Act to provide for the sale of the Swamp Lands in the several counties of this State."

Senate File No. 77, "A bill for an Act to prohibit certain male stock from running at large."

WM. F. DAVIS, Secretary of Senate.

Senate File No. 60, "A bill for an Act to provide for the collection of Taxes," was taken up, with the substitute bill offered by the committee, to whom the bill was referred.

Mr. Littler moved that the bill be made special order for Monday, at 2 o'clock P. M. Carried.

Senate File No. 124, "A bill for an Act to amend subdivision 5, of section 663, of the Revision of 1860," was taken up, with the amendments recommended by the committee, to whom the bill was referred.

On motion, the amendment was adopted.

Mr. Nelson moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fry, Fuller, Galland, Glendenning, Green, Gilchrist, Hale, Hildreth, Hixson, Helm, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones,

Russell of Washington, Richards, Runyon, Sanderson, Simpson, Sturgis, Stiles, Stanton, Skiles, Spurrier, Thompson, Wolf and Mr. Speaker—70.

The nays were none.

Absent or not voting, Messrs. Bereman, Bruce, Fenn, Finkbine, Garrett, Gose, Horton, Hurst, Holdridge, King, Lindley, Lindsey, Lyons, McCall, McKnight, Sears, Smith, Sweet, Van Sandt, Vinton, Weare and White.

The bill passed and the title was agreed to.

Senate File No. 97, "A bill for an Act requiring reports from the clerks of the several Boards of Supervisors in this State, concerning School Lands," was taken up, with amendments recommended by committee, to whom the bill was referred.

On motion, the amendments were adopted.

Mr. Nelson moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Galland, Glendenning, Green, Gilchrist, Holdreth, Helm, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Littler, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Potter, Pritchard, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—72.

The nays were Messrs. Hale and Lindley—2.

Absent or not voting, Messrs. Bereman, Bruce, Burke, Fry, Finkbine, Garrett, Gose, Hixson, Horton, Hurst, King, Logan, Lindsey, Lyons, Magill, McKnight, Weare and White.

The bill passed and the title was agreed to.

House File No. 48, "A bill for an Act entitled An Act to separate the office of Recorder from that of Treasurer, and to make the county Judge the Recorder of Deeds," with substitute bill offered by the committee, was taken up.

Mr. Hale moved that the bill be recommitted to a select committee, Mr. Sturgis, chairman, with instructions.

Mr. Littler moved that the whole subject be indefinitely postponed. Lost.

Mr. Oliver moved that the whole subject lie on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Burke, Brown, Carey, Close, Davis, Fry, Hixson, Hurst, Joy, Johnson, Latham, Lit-

tier, Meissner, Mills, McMaken, McNutt, Nelson, Oliver, Potter, Russell of Washington, Sanderson, Smith, Skiles, Sweet, Thompson, and Mr. Speaker—27.

The nays were Messrs. Andrews of Decatur, Bell, Buckham, Baylies, Campbell, Carbee, Cort, Christoph, Olark, Day, Darby, Dorr, Elliott, Fenn, Fuller, Finkbine, Galland, Glendenning, Green, Gilchrist, Hale, Hildreth, Helm, Holdridge, Jeffries, Knox, Lathrop, Logan, Lindley, Merriam, Magill, Maxwell, Munsell, Moir, McCall, McCormack, Parker, Paulk, Perry, Pritchard, Richards, Runyon, Sears, Simpson, Sturgis, Stiles, Stanton, Spurrier, Van Sandt, Vinton, Weare and Wolf—52.

Absent or not voting, Messrs. Bereman, Bruce, Bromley, Garrett, Gose, Horton, King, Lindsey, Lyons, McKnight, O'Brien, Russell of Jones, and White.

The motion was lost.

Mr. Brown moved to adjourn. Lost.

Mr. Butler moved that the whole matter be laid on the table. Lost.

The question recurring on the motion to recommit to a Select Committee of which Mr. Sturgis is chairman, with instructions, was decided in the affirmative.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES,  
MONDAY, March 21st, 1864. }

House met pursuant to adjournment.

Prayer by the Rev. P. F. Brazeo.

Journal of yesterday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Finkbine presented the memorial of the Pastor, Trustees and Elders of the Presbyterian Church of Iowa City, praying for the Grant, or donation of the east half of "College Green," in the original survey of Iowa City. Also, the claim of L. Robinson, for taking depositions, &c., in three cases of State *vs.* Eads, and Sureties. Referred to committee on Claims.

Mr. Burke presented the petition of C. O. Moulton, and 142 others, of Bremer county, praying for the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

Mr. Johnson presented a remonstrance of the women of Linn county, against the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.



Mr. Oliver presented the petition of Joel B. Day, and others, of Monona county, asking protection from the loss of odd sections of swamp lands by a railroad claim. Referred to committee on Railroads.

Mr. Weare presented the petition of A. D. Collier, and others, of Linn county, praying for an increase in the duties and compensation of County Superintendent. Referred to committee on Schools and University.

#### REPORTS OF COMMITTEES.

MR. SPEAKER :—I am directed by committee of Ways and Means to report back to this House Senate File No. 193, "A bill for an Act to regulate the levy and collection of certain taxes," and recommend the same do not pass.

W. J. GILCHRIST, Chairman.

I am also directed to report back to this House, Senate File No. 103, "A bill for an Act defining further duties for the Recorder of Deeds and Treasurer, and his compensation, and recommend it do not pass.

W. J. GILCHRIST, Chairman.

I am further directed to report back House File No. 116, "A bill for an Act for the transfer of real estate, to regulate the assessment thereof, and facilitate the collection of revenue," and recommend its passage.

W. J. GILCHRIST, Chairman.

The committee on Engrossed Bills, to whom was referred House File No. 46, "A bill for Act to provide for the loan of the Permanent School Fund, and fixing the rate of interest thereon, and limiting the price at which School Lands may be sold, and for other purposes," have examined the same and find it correctly engrossed.

HOLDRIDGE, Chairman.

#### REPORTS OF SELECT COMMITTEES.

The select committee from cities having special charters, to whom was referred Senate File No. 125, "A bill for an Act authorizing municipal corporations to provide for repairs of streets, alleys, side walks, &c.," have instructed me to report the same back to the House, with a recommendation that the same do not pass, the committee believing that the power granted by said bill, is already possessed by municipal corporations, under the law now in existence.

MERRIAM, for Committee.

#### RESOLUTIONS.

Mr. Bromley offered the following preamble and resolutions, which were adopted:

WHEREAS, On the 18th day of November, 1863, a convention of the citizens of Iowa was held in this city, which resulted in the formation of an association known as the "Iowa Sanitary Commission," and said incorporation having become incorporated, and declared its intention to co-operate with the United States Sanitary Commission and with the Western Sanitary Commission; it is therefore

*Resolved, by the House of Representatives, the Senate concurring,* That we recommend the noble objects and purposes of this Commission to the people of Iowa, as the proper means for concentrating the efforts of our people in the work of benefitting our sick and wounded soldiers.

*Resolved,* That by its co-operation with the United States Sanitary Commission and the Western Sanitary Commission, we believe the sanitary stores of the State of Iowa, which are so generously contributed by the people, will reach the army with less expense and more efficiency than by any other plan.

*Resolved,* That we heartily endorse the federal principle, that the army of freedom now in the field is the United States army, and should be aided and comforted through the joint efforts of each and every loyal State of the Union.

*Resolved,* That as Iowa is proud of her noble sons who have gone forth to battle for the freedom of the whole nation and of humanity, so is she proud of her Sanitary Commission, which has made itself auxiliary to the great national work of carrying the contributions of our people to all soldiers wherever found, who may need sustenance and support.

Mr. Finkbine offered the following joint resolution :

*Resolved, by the General Assembly of the State of Iowa,* That the State be directed to furnish each officiating clergyman of the present General Assembly with a copy of the Adjutant General's Report of January 1st, 1863.

The resolution was adopted.

#### BILLS READ A SECOND TIME.

Senate File No. 20, "A bill for an Act to amend Sec. 432, of the Revision of 1860," was taken up.

Mr. Merriam moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Baylies, Burke, Brown, Carbee, Cort, Close, Clark, Day, Darby, Davis, Elliott, Fenn, Garrett, Galland, Green, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Knox, Latham, Lathrop, Logan, Littler, Lindley, Magill, Merriam, Maxwell, Meissner, McCall, McCormack, Nelson, Oliver,

Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—65.

The nays were Messrs. Carey, Campbell, Christoph, Fry, Hildreth, McMaken, McNutt, O'Brien and Sweet—9.

Absent or not voting, Messrs. Bereman, Bromley, Dorr, Fuller, Finkbine, Glendenning, Gose, Gilchrist, Hale, Lindsey, Lyons, Mills, Munsell, Moir, McKnight, Russell of Washington, Weare and White.

The bill passed, and the title was agreed to.

Mr. Spurrier, by leave, offered the following resolution, which, on motion, was laid on the table :

*Resolved*, That the committee on Ways and Means, to whom was referred House File No. 141, "A bill for taxation of railroad property," be, and is hereby, instructed to report the same back to this House.

Mr. Johnson moved that the vote by which Senate File No. 105, "A bill for an Act to permanently locate the Asylum for the Deaf and Dumb, and provide a building for the same," was rejected, be reconsidered.

Mr. Hildreth moved that the motion lie on the table. *Lost*.

The question recurring on the motion to reconsider, the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Carbee, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Galland, Green, Hale, Helm, Horton, Hurst, Holdridge, Jeffries, Johnson, King, Latham, Lindley, Merriam, McCall, McCormack, Milla, McNutt, Nelson, O'Brien, Perry, Pritchard, Potter, Sanderson, Stiles, Skiles, Thompson, Van Sandt, Wolf and Mr. Speaker—47.

The nays were Messrs. Burke, Brown, Campbell, Cort, Christoph, Close, Day, Garrett, Hildreth, Hixson, Joy, Knox, Logan, Littler, Magill, Maxwell, Meissner, McMaken, Oliver, Parker, Russell of Jones, Richards, Sears, Simpson, Sturgis, Stanton, Smith, Spurrier, Sweet, Vinton and White—31.

Absent or not voting, Messrs. Bereman, Glendenning, Gose, Gilchrist, Lathrop, Lindsey, Lyons, Munsell, Moir, McKnight, Paulk, Russell of Washington, Runyon and Weare.

The motion prevailed.

Mr. Hildreth moved that the bill be referred to committee on Ways and Means. *Lost*.

Mr. Bell moved that the bill be referred to a select committee of five. *Carried*.

The Speaker appointed as said committee Messrs. Bell, Johnson, Baylies, Andrews of Keokuk, and Thompson.

Mr. Stiles, by leave, submitted the following report :

The Judiciary Committee to whom was referred House File No. 45, "A bill for an Act to extend the jurisdiction of County Courts in civil and criminal cases, and for other purposes, have had the same under consideration, and a majority of them have instructed me to report the same back with the recommendation that it pass.

STILES, for Committee.

House File No. 101, "A bill for an Act to amend an act entitled an Act to amend Chap. 45 of the Revision of 1860, passed at the regular session of the 9th General Assembly, in relation to the revenue," was taken up with the amendment recommended by the committee.

On motion, the amendment was adopted.

Mr. Paulk moved that the bill be indefinitely postponed.

The hour for special order having arrived, Mr. Andrews of Keokuk moved that it be suspended until the bill under consideration, be disposed of. Carried.

Mr. Nelson moved to amend as follows:

Strike out the words "at fifty cents" and insert the words "not to exceed fifty cents." Carried.

Mr. Spurrier moved to amend as follows:

Provided such paper will make such publication as low as any other paper of general circulation in the county. Carried.

Mr. Dorr moved the previous question, which was seconded.

On the question "Shall the main question be now put," it was decided in the affirmative.

On the question shall the bill be indefinitely postponed, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Buckingham, Baylies, Brown, Carey, Campbell, Cort, Christoph, Day, Davis, Dorr, Elliott, Fuller, Finkbine, Garrett, Green, Gilchrist, Hixson, Horton, Holdridge, Joy, King, Knox, Latham, Littler, Magill, Maxwell, Munsell, Moir, McMaken, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Simpson, Stiles, Smith, Spurrier, Sweet, Van Sandt, Weare, White and Mr. Speaker—52.

The nays were Messrs. Andrews of Keokuk, Bromley, Bell, Burke, Carbee, Close, Clark, Darby, Fenn, Fry, Glendenning, Hildreth, Helm, Hurst, Jeffries, Johnson, Logan, Lindley, Merriam, Meissner, Mills, McNutt, McCall, Runyon, Sanderson, Sears, Sturgis, Stanton, Skiles, Thompson, Vinton and Wolf—32.

Absent or not voting Messrs. Bereman, Galland, Gose, Hale, Lathrop, Lindsey, Lyons, and Russell of Washington.

The motion prevailed.

The hour for special order having arrived, the consideration of substitute for House File No. 110, "A bill for an Act to provide for the election of Township Collector, and to define his powers and duties," was resumed.

Mr. Oliver moved that the bill be indefinitely postponed.

On which question the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Close, Day, Davis, Elliott, Fenn, Fry, Garrett, Glendenning, Gilchrist, Hixson, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, King, Latham, Littler, Lindley, Meissner, Munsell, Moir, McNutt, McCormack, Nelson, Oliver, Potter, Russell of Washington, Stanton, Spurrier, Vinton, Wolf and Mr. Speaker—42.

The nays were Messrs. Andrews of Decatur, Bruce, Bromley, Burke, Cort, Christoph, Clark, Darby, Dorr, Fuller, Finkbine, Galland, Green, Hale, Helm, Knox, Logan, Merriam, Magill, Maxwell, Mills, McMaken, O'Brien, Parker, Paulk, Pritchard, Russell of Jones, Richards, Runyon, Sanderson, Simpson, Sturgis, Stiles, Smith, Skiles, Sweet, Thompson, Van Sandt, Weare and White—40.

Absent or not voting, Messrs. Bereman, Gose, Hildreth Lathrop, Lindsey, Lyons, McCall, McKnight, Perry and Sears.

The motion prevailed.

House File No. 132, "A bill for an Act to amend Chapter 22, of the Revision of 1860, in relation to County Boards of Supervisors," was taken up with substitute of committee.

Mr. White moved that the bill and substitute be laid on the table.

Mr. Hildreth moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Absent without leave, none.

The question recurring on the motion to lay on the table, the yeas and nays were demanded and ordered resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Bruce, Bell, Burke, Brown, Carbee, Cort, Christoph, Close, Dorr, Fenn, Fuller, Garrett, Green, Gilchrist, Hale, Holdridge, Jeffries, Latham, Lathrop, Littler, Merriam, Magill, Maxwell, Meissner, Mills, McNutt, McKnight, Nelson, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sears, Simpson, Stiles, Stanton, Sweet, Weare, Wolf, White and Mr. Speaker—47.

The nays were Messrs. Andrews of Decatur, Bromley, Buckham, Baylies, Carey, Campbell, Clark, Day, Darby, Davis, Elliott, Fry, Finkbine, Galland, Glendenning, Hildreth, Hixson, Helm, Horton, Hurst, Joy, Johnson, King, Knox, Logan, Lindley, Munsell, Moir, McMaken, McCall, McCormack, Oliver, Russell of Washington, Sanderson, Sturgis, Smith, Skiles, Spurrier, Thompson, Van Sandt and Vinton—41.

Absent or not voting, Messrs. Bereman, Gose, Lindsey, and Lyons.

The motion prevailed.

Mr. Stiles moved that the vote by which the bill was laid on the table, be reconsidered.

The motion to reconsider prevailed.

Mr. Runyan submitted the follow report :

MR. SPEAKER :—The joint committee on Enrolled Bills beg leave to report that they have examined House File No. 94, and find the same correctly enrolled, and present it for your signature.

ALEX. RUNYON, Chairman.

On motion, the House adjourned.

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TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Finkbine, by leave, offered the following resolution, which, on motion, was adopted :

*Resolved*, That the use of this Hall be granted to Professor Belden, this evening, for the purpose of granting elocutionary readings.

The further consideration of the bill under discussion, at the hour of adjournment, was resumed.

Mr. Hurst moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Absent without leave, Messrs. Holdridge and Sweet.

Mr. Sears moved that further proceedings under the call be dispensed with. Carried.

The question recurring on the motion to lay the bill and substitute on the table,

The yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Andrews of Keokuk, Bruce, Burke, Brown, Carbee, Cort, Christoph, Close, Dorr, Fenn, Fuller, Garrett, Galland, Green, Gilchrist, Hale, Hixson, Helm, Holdridge, Jeffries, King, Latham, Lathrop, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, McMaken, McNutt, McKnight, Nelson, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sears, Simpson, Stanton, Smith, Sweet, Weare, Wolf, White and Mr. Speaker—53.

The nays were Messrs. Andrews of Decatur, Bromley, Buckingham, Baylies, Carey, Campbell, Clark, Day, Darby, Davis, Elliott, Fry, Finkbine, Glendinning, Hildreth, Horton, Hurst, Joy, Johnson, Knox, Logan, Lindley, Munsell, Moir, McCall, McCormack, Oliver, Sanderson, Sturgis, Stiles, Skiles, Spurrier, Thompson, and Van Sandt—34.

Absent or not voting, Messrs. Bereman, Bell, Gose, Russell of Washington and Vinton.

The motion prevailed.

Mr. Jeffries moved to reconsider the vote by which the substitute for House Files No. 70 and 110, "A bill for an Act for the collection of taxes," was laid on the table.

Mr. Day moved to lay the motion to reconsider on the table. Carried.

Senate File No. 60, "A bill for an Act to amend Chapter 172, of the Acts of the Ninth General Assembly of the State of Iowa, entitled an Act to amend and consolidate an Act passed by the Board of Education, December 24th, 1859, entitled an Act to amend an Act entitled an Act to provide a system of common schools, and the amendments thereto.

The special order for the hour, was taken up, with a substitute bill.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER** :—I am directed to inform the House that the Senate has passed House File No. 86, "A bill for an Act providing for Recording United States Revenue Stamps attached to instruments of writing," with the accompanying amendments, and the following concurrent resolution :

*Resolved by the Senate the House concurring*, That both Houses meet in Joint Convention on Wednesday evening next at 7 o'clock, to elect a Superintendent of Public Instruction, for the term of two years, and five Trustees for the Agricultural College.

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Sec. Senate.

Mr. Knox moved that the bill and substitute be recommitted to committee on Schools and University, with instructions to report the bill back, now in their hands, making Sub-Districts independent.

Mr. Wolf moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Absent without leave, Mr. Holdridge.

Mr. Knox moved that further proceedings under the call be dispensed with. Carried.

The question recurring on the motion to recommit, the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Carey, Cort, Christoph, Close, Clark, Glendinning, Gilchrist, Knox, Munsell, Moir, Paulk, Richards, Van Sandt, Weare and White.—15.

The nays were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Campbell, Carbee, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett,

Galland, Hale, Hildreth, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Perry, Pritchard, Potter, Russell of Jones, Runyon, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Wolf and Mr. Speaker—66.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Green, Gose, Hixson, Horton, King, Parker, Russell of Washington, Stiles and Vinton.

The motion did not prevail.

Mr. Wolf moved a call of the House, which was seconded.

The clerk proceeded to call the roll.

Mr. Moir moved that further proceedings under the call be dispensed with. Carried.

Mr. Bell asked for leave of absence for Mr. King, for the remainder of the session. Granted.

Mr. Galland moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion to adopt the Substitute Bill, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Campbell, Carbee, Cort, Darby, Elliott, Fenn, Fry, Finkbine, Galland, Gilchrist, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, Parker, Perry, Potter, Russell of Jones, Richards, Runyon, Sears, Simpson, Sturgis, Smith, Spurrier, Sweet, Van Sandt, Wear, Wolf and White—60.

The nays were Messrs. Andrews of Decatur, Carey, Christoph, Close, Clark, Day, Davis, Dorr, Fuller, Garrett, Glendenning, Green, Horton, Johnson, Littler, Meissner, O'Brien, Paulk, Pritchard, Russell of Washington, Sanderson, Stanton, Skiles and Mr. Speaker—24.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Gose, King, McKnight, Stiles, Thompson and Vinton.

The motion prevailed.

Mr. Johnson moved to amend Sec. 3, as follows: Strike out the words, "hold a school," and insert the words, "keep their school open."

Mr. Sears moved to amend as follows: Strike out the words, "hold a school," and insert the words, "continue the session." Lost.

The question recurring on the amendment of Mr. Johnson, it was lost.



Mr. Wolf moved to strike out the first section. Lost.

Mr. Van Sandt offered the following, as a new section:

Sec. 4. That Sec. 58 be amended by the addition of the following, to wit:

"He shall also keep the amount of tax levied for school-house purposes separate in each sub-district where such levy has been made directly upon the property of the sub-district making the application, and shall pay over the same quarterly to the township treasurer, for the benefit of such district."

Adopted.

Mr. Cort moved to strike out all that relates to the increase of duties and salaries of the County Superintendent.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills:

Senate File No. 234, "A bill for an Act explanatory of Sec. 20, of an Act entitled an act to amend an act entitled an act for the government and regulation of the State University of Iowa."

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

On motion, Senate File No. 234, "A bill for an Act explanatory of Sec. 20, of an act entitled An Act to amend an act entitled An Act for the government and regulation of the State University of Iowa, was taken up. Read a 1st and 2d time, and on motion, the rule was suspended, the bill read a 3d time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Richards, Ranyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt, Weare, Wolf, White and Mr. Speaker—82.

The nays were Messrs. Buckham and Russell of Jones—2.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, King, Latham, McKnight, Russell of Washington, Thompson and Vinton.

The bill passed and the title was agreed to.

## MESSAGE FROM THE SENATE.

**MR. SPEAKER** :—I am directed to inform the House that the Senate has passed Senate File No. 235, "A bill for the relief of the families of soldiers or mariners in the service of the United States.

In which the concurrence of the House is respectfully asked:

WM. F. DAVIS, Secretary of Senate.

**Mr. Lyons** moved to adjourn. Lost.

The question recurring on the motion to adopt **Mr. Cort's** amendment, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Buckham, Brown, Carey, Campbell, Cort, Christoph, Close, Clark, Day, Davis, Dorr, Fuller, Garrett, Glendenning, Gose, Gilchrist, Hixson, Horton, Jeffries, Johnson, Knox, Littler, Lyons, Maxwell, Mills, Munsell, McMaken, McNutt, McCormack, O'Brien, Paulk, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Simpson, Sturgis, Stiles, Stanton, Spurrier, White and **Mr. Speaker**—45.

The nays were Messrs. Bromley, Bell, Baylies, Burke, Carbee, Darby, Elliott, Fenn, Fry, Finkbine, Galland, Green, Hale, Hildreth, Helm, Hurst, Holdridge, Joy, Lathrop, Logan, Lindley, Lindsey, Merriam, Magill, Meissner, Moir, McCall, Nelson, Oliver, Parker, Perry, Runyon, Sanderson, Sears, Smith, Skiles, Sweet, Van Sandt, Weare and Wolf—40.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, King, Latham, McKnight, Thompson and Vinton.

The motion prevailed.

**Mr. Finkbine** moved that the whole question be indefinitely postponed. On which question the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Burke, Christoph, Close, Elliott, Fry, Fuller, Finkbine, Garrett, Gilchrist, Hildreth, Hixson, Helm, Jeffries, Logan, Littler, Lindsey, Magill, Meissner, Mills, McMaken, Pritchard, Potter, Russell of Jones, Russell of Washington, Sweet and Weare—31.

The nays were Messrs. Baylies, Brown, Carey, Campbell, Carbee, Cort, Clark, Day, Darby, Davis, Dorr, Fenn, Galland, Glendenning, Green, Gose, Hale, Horton, Hurst, Holdridge, Joy, Johnson, Knox, Latham, Lathrop, Lindley, Lyons, Merriam, Maxwell, Munsell, Moir, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Van Sandt, Wolf, White and **Mr. Speaker**—55.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, King, McKnight, Thompson and Vinton.

The motion did not prevail.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
TUESDAY, March 22d, 1864. }

House met pursuant to adjournment.

Prayer by Rev. P. F. Bresee.

Journal of yesterday read and approved.

PETITIONS AND REMONSTRANCES.

Mr. Maxwell presented the claim of J. L. Daner. Referred to committee on Claims.

Mr. Weare presented the bill of Ed. Entwistle. Referred to committee on Claims.

Mr. Hildreth presented the petition of A. D. Richardson and others, praying for the repeal of the Prohibitory Liquor Law. Referred to committee on Intemperance.

REPORTS OF COMMITTEES.

I am directed by a majority of the committee of Ways and Means to report back to this House a substitute for House File No. 141, "A bill for an Act to amend Section sixteen (16), Chapter 173, of the laws of the Ninth General Assembly," and recommend that the bill do pass.

For the majority.

W. J. GILCHRIST, Chairman.

A minority of the committee on Ways and Means, to whom was referred House File No. 141, "A bill for an Act providing for the taxation of the property of railroad companies," beg leave to dissent from the report of the majority of said committee, and, believing that the said bill is wise and just in its general provisions, report the same back to this House, and recommend that it do pass, with the following amendment, to-wit:

Add to Sec. 7 the words, Provided that this Section shall not be construed so as to include any rolling stock except such as is used exclusively within the limits of any incorporated town or city.

All which is respectfully submitted.

SAMUEL McNUTT,

For minority of committee.

MR. SPEAKER:—I am instructed by the committee of Ways and Means to report back to this House, House File No. 114, "A bill for an Act for making further appropriations for the selection and platting the Agricultural College Lands," and the report and the papers accompanying the same.

The committee are of the opinion that the loose, vague and indefinite manner in which the agent employed by the Governor has

presented his claims, requires a more rigid examination and explanation. They therefore recommend that the bill do not pass.

W. J. GILCHRIST, Chairman.

The committee on Military Affairs, to whom was referred Senate File No. 163, "A bill for an Act to organize and discipline the Militia," have had the same under consideration, and instruct me to report the same back and recommend its passage.

J. ANDREWS, Chairman.

#### REPORT OF SPECIAL COMMITTEE.

Your special committee, to whom was referred sundry bills and amendments relating to the restraining of stock from running at large, have had the same under consideration, and have instructed me to report the accompanying bill as a substitute for bills and amendments submitted to them, and recommend its passage.

JOHN RUSSELL,  
H. M. THOMPSON.

MR. SPEAKER:—The select committee, to whom was referred substitute for House File No. 43, "A bill for an Act to separate the office of County Recorder and Treasurer," &c., &c., beg leave to report back a substitute for the same, and recommend, *unanimously*, that it do pass.

STURGIS, Chairman.

Mr. Runyon, by leave, introduced House File No. 166, "A bill for an Act in relation to the meetings and business of the County Board of Supervisors and State Board of Equalization." Read a first and second time, and referred to committee on Ways and Means.

Mr. McCormack, from the Judiciary Committee, introduced House File No. 167, "A bill for an Act to fix the salaries of District Judges." Read a first and second time.

Mr. Moir reported back Senate File No. 144, "A bill for an Act to repeal Sec. 2624, of the Revision of 1860, in relation to the time of holding the terms of Supreme Court, and to provide a substitute therefor," recommending it do not pass.

Mr. Hale introduced House File No. 168, "A bill for an Act to allow Boards of Supervisors to vote money to District Judges."

Mr. Magill, by leave, introduced House File No. 169, "A bill for an Act directing the distribution of the Adjutant General's and Supreme Court Reports, and making an appropriation to defray the expenses of such distribution. Read a first and second time.

Mr. Magill moved to fill the blank with \$2,000. Carried.

Mr. Oliver moved that the bill be referred to committee on Ways and Means. Lost.

Mr. Hale moved that the bill be read a third time, and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Burke, Brown, Cort, Christoph, Clark, Davis, Elliott, Fenn, Fry, Garrett, Galland, Green, Gilchrist, Hale, Hildreth, Hixson, Horton, Hurst, Holdridge, Jeffries, Joy, Latham, Lathrop, Logan, Lindley, Lyons, Magill, Maxwell, Mills, McNutt, McCall, McCormack, Parker, Paulk, Perry, Pritchard, Potter, Russell of Washington, Runyon, Sanderson, Sears, Sturgis, Stiles, Sweet, Van Sandt, Weare, Wolf and Mr. Speaker—50.

The nays were Messrs. Andrews of Decatur, Buckham, Carey, Campbell, Carbee, Close, Day, Darby, Dorr, Glendenning, Gose, Helm, Lindsey, Merriam, Meissner, Moir, McMaken, Nelson, Oliver, Russell of Jones, Richards, Simpson, Stanton, Smith, Spurrier and White—26.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Bell, Baylies, Fuller, Finkbine, Johnson, King, Knox, Littler, Munsell, McKnight, O'Brien, Skiles, Thompson and Vinton.

The bill passed and the title was agreed to.

Mr. Glendenning, by leave, introduced House File No. 170, "A bill for the relief of volunteers in the military service of the United States, from Iowa. Read 1st and 2d time and referred to committee on Judiciary.

Mr. Stiles, by leave, submitted the following reports:

The committee on Judiciary to whom was referred House File No. 143, "A bill for an Act to amend Chap. 46 of the Revision of 1860, in relation to the Revenue," have had the same under consideration, and have directed me to report the same back to this House with the following amendment to Sec. 1 thereof, and recommend its passage with this amendment.

At the end of said Sec. 1, add the following:

"Provided that nothing herein contained shall be construed to release any real estate from liability from the personal property tax as now provided by law, but the same shall be included in the aggregate tax and be apportioned to the portion of real estate sought to be discharged upon the same basis and in the manner herein proposed."

E. H. STILES, for Committee on Judiciary.

The Judiciary Committee to whom was referred Senate File No. 225, "A bill for an Act requiring clerks of District Courts to certify to applications for pensions and other papers, and regulating fees for the same, have had the same under consideration, and instructed me to report the same back and recommend its passage.

E. H. STILES, for Committee on Judiciary.

Mr. Runyon submitted the following report:

MR. SPEAKER:—The Joint Committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 234, 123, 101, 181, 77, 139 and 86, find the same correctly enrolled and present them for your signature.

ALEX. RUNYON, Chairman.

MR. SPEAKER:—The Joint Committee on Enrolled Bills beg leave to report that they have presented to his Excellency the Governor, for his approval, House Files Nos. 6 and 94.

ALEX. RUNYON, Chairman.

House File No. 168, "A bill for an Act to allow Boards of Supervisors to vote money to District Judges," was taken up.

Mr. Russell of Jones, moved to indefinitely postpone the bill. Carried.

Mr. Richards presented a petition of the Farmers Club of Dubuque County, praying for a dog law. Referred to committee on Agriculture.

#### RESOLUTIONS.

Mr. Davis offered the following resolution:

*Resolved, by the House of Representatives, the Senate concurring,* That the several clergymen officiating as Chaplains of the House and Senate of the 10th General Assembly, shall each be entitled to a bound copy of the first volume of "Legislative Documents" of this session. Adopted.

Mr. Magill offered the following resolution, which was adopted:

*Resolved, by the House of Representatives of the State of Iowa,* That W. J. Gilchrist, a member of this House, be directed to proceed to Madison, the Capital of Wisconsin, and extend to the Hon. the Legislature of said State, the invitation of the committee appointed for that purpose at a meeting of the citizens of Des Moines and a portion of the members of this General Assembly, to attend the North-Western Ship Canal Convention, to meet at the city of Dubuque on the first Wednesday of May next, the object of which is to induce Congress to take measures to remove the obstructions of, or build a canal around the upper and lower rapids of the Mississippi river, and also to construct a ship canal from some point opposite the eastern border of Iowa to connect the Mississippi river with Lake Michigan; and that an engrossed copy of this resolution be made, signed by the Hon. Speaker of this House, for presentation to the Legislature of Wisconsin.

Mr. Wolf, by leave, submitted the following:

The committee on the Judiciary, to whom was referred House File No. 101, "A bill for an Act to amend an Act entitled 'An Act to amend chapter 45 of the Revision of 1860, in relation to revenue,'" passed at the regular session of the Ninth General As-

sembly, have had said bill under consideration, and have instructed me to report the same back with a substitute therefor, and recommend the passage of the substitute.

W. P. WOLF, for Committee.

#### MESSAGES AND COMMUNICATIONS.

Joint resolution, relating to joint convention on Wednesday evening, was taken up and concurred in.

House File No. 86, "A bill for an Act providing for recording U. S. Revenue Stamps attached to instruments of writing," with Senate amendment, was taken up, and, on motion, was concurred in.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Burke, Brown, Carey, Campbell, Carbee, Cort, Clark, Day, Darby, Davis, Dorr, Elliott, Fuller, Galland, Glendening, Green, Gilchrist, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt, Wolf, White and Mr. Speaker—75.

The nays were Messrs. Christoph, Close, Fry and Garrett—4.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Baylies, Fenn, Finkbine, Gose, Hale, Johnson, King, Litler, Thompson, Vinton and Weare.

The bill passed and the title was agreed to.

Senate File No. 235, "A bill for an Act for the relief of families of soldiers and marines in the service of the United States, was taken up.

Mr. Spurrier moved that the bill be referred to a select committee consisting of Messrs. Fry, Russell of Jones, Magill, Finkbine and Hale. Carried.

Mr. Paulk moved that the vote just taken, be reconsidered. Carried.

Mr. Burke moved that the bill be referred to committee on Sanitary Affairs. Carried.

The consideration of Senate File No. 60, "A bill for an Act to amend Chap. 172 of the acts of the 9th General Assembly of the State of Iowa, entitled An Act to amend and consolidate an act passed by the Board of Education, Dec. 24th, 1859, entitled An Act to amend an act entitled An Act to provide a system of Common Schools, and the amendments thereto," was resumed.

Mr. Hale moved that the bill and amendments be referred to committee on Schools and University, with instructions. Lost.

Mr. Fenn moved that the vote just taken be reconsidered. Carried.

The question recurring on the motion to refer with instructions, it was decided in the negative.

Mr. Hildreth moved to amend by inserting the following as Section 5:

Sec. 5. That Sec. 73 of said Chapter be amended by the addition thereto of the following, to wit:

*Provided*, That in any county where the Supervisors deem it expedient for the County Superintendent to visit the schools and lecture in the District Townships, they may give such additional pay to said Superintendent, for said service, as they may think proper.

Mr. Paulk moved to amend the amendment as follows: "To be paid out of the county treasury. But such Board shall not expend in any one year, under the provisions of this section, more than the amount of \$2,00 for each school taught three or more months in each year."

The question being divided, on the motion to adopt the first part, "to be paid out of the county treasury," the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Brown, Carey, Campbell, Cort, Christoph, Clark, Day, Davis, Fuller, Glendenning, Gose, Gilchrist, Hixson, Horton, Knox, Lindley, Oliver, O'Brien, Paulk, Russell of Jones, Russell of Washington, Richards, Sturgis, Stiles and Spurrier—30.

The nays were Messrs. Burke, Carbee, Close, Darby, Dorr, Elliott, Fenn, Fry, Garrett, Galland, Green, Hale, Hildreth, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, Latham, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Parker, Perry, Pritchard, Potter, Runyon, Sanderson, Sears, Simpson, Stanton, Smith, Skiles, Sweet, Van Sandt, Weare, Wolf, White and Mr. Speaker—54.

Absent or not voting, Messrs. Bereman, Bell, Finkbine, King, Littler, McKnight, Thompson, and Vinton.

The motion did not prevail.

The question recurring on the motion to adopt the last part of the amendment, it was lost.

The question recurring on the motion to adopt the amendment of Mr. Hildreth, it was decided in the affirmative.

Mr. Paulk moved to strike out the whole of Sections 5 and 6.

Mr. Day moved to recommit the bill. Lost.

The question recurring on the motion of Mr. Paulk, it was decided in the affirmative.

Mr. Fenn offered the following amendment:

Sec. 6. That Sec. 20 of Chap. 172 of the School Laws of the



State of Iowa, be amended by the addition thereto of the following, to-wit:

*Provided further*, That before letting a contract for building a School House, they shall invite proposals for said contract, by giving at least 20 days notice of such letting in one or more newspapers of the county, and where no paper is published, by posting three written notices in the most public places of the township in which the house is to be built, and one in each adjoining township, which notice shall state the time and place of letting the contract, and also, where the specifications of the same can be seen, and such contract shall be let to the lowest responsible bidder. Lost.

Mr. Van Sandt offered the following amendment:

That Sec. 91 be amended by the addition thereto of the following, to-wit:

The Board of Directors of Independent Districts may issue orders upon the School House Fund in such sums and bearing such interest as may be agreed upon, not exceeding ten per cent., as will liquidate all debts upon School House contracts, not otherwise provided for.

Mr. Gose moved to strike out the words "Independent Districts" and insert the words "Any District." Lost.

The question recurring on the motion to adopt the amendment of Mr. Van Sandt, it was decided in the negative.

On motion, the bill was ordered to be read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bromley, Buckingham, Baylies, Carey, Carbee, Cort, Christoph, Close, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fry, Garrett, Galland, Glendenning, Gose, Hildreth, Hixson, Helin, Horton, Hurst, Holdridge, Joy, Johnson, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McNutt, McCall, McCormack, Oliver, O'Brien, Parker, Paulk, Perry, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Smith, Skiles, Spurrier, Sweet, Van Sandt, Weare, Wolf, White and Mr. Speaker—65.

The nays were Messrs. Andrews of Decatur, Bruce, Bell, Brown, Campbell, Day, Fuller, Green, Jeffries, Meissner, McMaken, Nelson, Pritchard, Potter, Russell of Jones, Russell of Washington, and Stanton—17.

Absent or not voting, Messrs. Bereman, Burke, Finkbine, Gilchrist, Hale, King, Littler, McKnight, Thompson and Vinton.

The bill passed, and the title was agreed to.

On motion, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

House File No. 87, "A bill for an Act to provide for the collection of money due the permanent school fund of the State of Iowa," was taken up.

Mr. Baylies moved to amend by adding to Sec. 3 as follows: "Provided, however, that said commissioners, in their discretion, may compromise with the parties whenever they think the interests of the State may require it." Lost.

Mr. Finkbine moved to strike out Sec. 4.

Mr. Hale moved that the bill be made special order for to-morrow at 2 o'clock. Lost.

MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed Senate File No. 236—A bill for an Act supplemental to chapter ninety-nine of the laws of the 7th General Assembly, approved March 22d, 1858, and relating to the Des Moines river land grant, and for the payment of certain audited claims, and releasing to the United States certain occupied lands included in said grant.

House File No. 47—A bill for an Act granting a right of way to open and drain coal mines, with an amendment to Sec. 6.

In which the concurrence of the House is respectfully asked.

And has adopted the concurrent resolution of the House relating to Sanitary Commissions.

And concurred in the House amendments to Senate File No. 124—A bill for an Act to amend sub-division 5 of Section 663 of the Revision of 1860.

Senate File No. 97—A bill for an Act requiring reports from the Clerks of the several Boards of Supervisors concerning school lands.

Senate File No. 108—A bill for an Act providing for the erection of an arsenal building.

WM. F. DAVIS, Sec. Senate.

The question recurring on the motion to strike out, it was decided in the affirmative.

Mr. Finkbine offered the following for Section 4:

"Said commissioners shall in no case purchase the capitol building, nor shall they release any person from their liability except upon their giving up to the State all the property which the State holds as security."

Mr. Latham moved that the bill be laid on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bruce, Bremley, Bell, Baylies, Carey,

Campbell, Close, Clark, Day, Davis, Fenn, Fuller, Glendenning, Green, Gose, Hale, Hixson, Horton, Hurst, Holdridge, Jeffries, Joy, Knox, Latham, Logan, Lindley, Lindsey, Lyons, Magill, Munsell, McNutt, McCormack, McKnight, Russell of Washington, Runyon, Sears, Stiles, Skiles, Sweet, Thompson, Weare and Mr. Speaker—42.

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Buckham, Brown, Cort, Christoph, Darby, Dorr, Elliott, Fry, Finkbine, Garrett, Galland, Hildreth, Helm, Johnson, Lathrop, Littler, Merriam, Maxwell, Meisner, Mills, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Potter, Russell of Jones, Richards, Sanderson, Simpson, Stanton, Smith, Spurrier, Van Sandt and White—40.

Absent or not voting, Messrs. Bereman, Burke, Carbee, Gilchrist, King, Moir, Pritchard, Sturgis, Vinton and Wolf.

The motion prevailed.

Mr. Stiles, by leave, called up substitute for House File No. 102, "A bill for an Act relating to Life Insurance Companies," and Senate File No. 150, "A bill for an Act relating to Life and Fire Insurance Companies," and moved that they be made the special order for ten o'clock to-morrow. Carried.

House File No. 57, "A bill for an Act to amend Section 711, of Chapter 45, of the Revision of 1860," with substitute bill, was taken up.

Mr. Sears moved that the bill and substitute be indefinitely postponed. Carried.

Mr. Paulk asked for leave of absence for himself for this afternoon. Granted.

House File No. 104, "A bill for an Act to amend Chapter 77, of the Acts of the 9th General Assembly," was taken up.

Mr. Oliver moved that the bill be indefinitely postponed. Carried.

Senate substitute for House File No. 11, "A bill for an Act to repeal Chapter 11, of the Acts of the 8th General Assembly, entitled an Act for the relief of Volunteers who have been, or may be, mustered into the service of the United States Government," was taken up.

Mr. Andrews, of Keokuk, moved that the bill be read a third time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fry, Fuller, Garrett, Glendenning, Green, Gose, Gilchrist, Hale, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meisner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Mc-

Cormack, Nelson, Oliver, Parker, Perry, Potter, Russell of Washington, Richards, Sanderson, Sears, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, White and Mr. Speaker—70.

The nays were Mr. Cort—1.

Absent or not voting, Messrs. Bereman, Bell, Christoph, Elliott, Finkbine, Galland, Hildreth, Hixon, King, Knox, McKnight, O'Brien, Paulk, Pritchard, Russell of Jones, Runyan, Simpson, Sturgis, Vinton, Weare and Wolf.

The bill passed and the title was agreed to.

Senate File No. 96, "A bill for an Act supplemental and amendatory to Chapter 58, of the Revision of 1860," was taken up.

On motion, the bill was read a third time and put upon its passage.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Day, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Maxwell, Meissner, Mills, Munsell, Moir, McCormack, McKnight, Nelson, Oliver, Parker, Perry, Potter, Runyon, Sanderson, Sturgis, Stiles, Smith, Spurrier, Sweet, Thompson, Van Sandt and Mr. Speaker—59.

The nays were Messrs. Bruce, Cort, Close, Clark, Davis, Fry, Horton, Jeffries, Lyons, Magill, McMaken, McNutt, O'Brien, Russell of Washington, Richards, Simpson, Stanton, Skiles, Weare and White—20.

Absent or not voting Messrs. Bereman, Bell, Christoph, Darby, Gilchrist, King, McCall, Paulk, Pritchard, Russell of Jones, Sears, Vinton and Wolf.

The bill passed and the title was agreed to.

Senate File No. 54, "A bill for an Act to locate the Executive office, provide for official records, and to fix the Governor's salary," was taken up, with substitute bill.

Mr. Moir moved that the substitute be adopted. Carried.

Mr. Elliott moved that "\$2,500" be stricken out, and "\$2,000" inserted, on which question the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Burke, Cort, Christoph, Close, Day, Elliott, Hildreth, Logan, Littler, Russell of Jones, Spurrier and White—12.

The nays were Messrs. Andrews of Keokuk, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Clark, Darby, Davis, Dorr, Fenn, Fry, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Lindley,

Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Perry, Potter, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Stiles, Stanton, Smith, Skiles, Sweet, Van Sandt, Weare and Mr. Speaker—69.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Fuller, Gilchrist, King, Paulk, Pritchard, Sturgis, Thompson, Vinton and Wolf.

The motion did not prevail.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has passed the following bills:

Senate File No. 106, "A bill for an Act to provide for the purchase of the building used as a Capitol, and the lots on which the same is situated, and to secure the school fund, and for other purposes."

And has passed House substitute for Senate File No. 37, "A bill for an Act fixing the per diem of Road Supervisors, &c.," without amendment.

Senate File No. 210, "A bill for an Act relating to the offices of County Recorder and Treasurer, and providing for their separation."

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

On motion, the bill under consideration was read a 3d time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Brown, Campbell, Carbee, Clark, Darby, Davis, Dorr, Fenn, Finkbine, Galland, Glendenning, Green, Gose, Hale, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare and Mr. Speaker—70.

The nays were Messrs. Carey, Cort, Christoph, Close, Day, Elliott, Fry, Garrett, Hildreth and Littler—10.

Absent or not voting, Messrs. Bereman, Burke, Fuller, Gilchrist, Horton, King, Lindley, Paulk, Russell of Jones, Vinton, Wolf and White.

The bill passed and the title was agreed to.

Senate File No. 199, "A bill for an Act to amend Section 1041 of the Revision of 1860," was taken up.

Mr. Oliver moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Carey, Campbell, Close, Clark, Day, Darby, Dorr, Fuller, Galland, Glendenning, Green, Gose, Hixson, Horton, Hurst, Holdridge, Joy, Knox, Lathrop, Littler, Lindsey, Merriam, Maxwell, Moir, McCall, McCormack, Oliver, Runyon, Sanderson, Simpson, Sturgis, Stiles, Smith, Skiles, Van Sandt, White and Mr. Speaker—43.

The nays were Messrs. Bell, Burke, Carbee, Cort, Christoph, Davis, Elliott, Fenn, Fry, Finkbine, Garrett, Hale, Hildreth, Helm, Jeffries, Johnson, Latham, Logan, Lindley, Lyons, Magill, Meissner, Mills, Munsell, McMaken, McNutt, Nelson, Parker, Perry, Potter, Russell of Jones, Russell of Washington, Richards, Stanton, Spurrier, Sweet, Thompson and Weare—38.

Absent or not voting, Messrs. Bereman, Brown, Gilchrist, King, McKnight, O'Brien, Paulk, Pritchard, Sears, Vinton and Wolf.

The bill did not pass.

House File No. 147, "A bill for an Act to amend Sec. 2 of Chap. 15 of the acts of the regular session of the Ninth General Assembly," was taken up.

Mr. Finkbine moved to amend by adding the word "*Statesman*" to the last section.

Mr. Thomson moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion to add the word "*Statesman*," the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bromley, Buckham, Carey, Campbell, Cort, Christoph, Close, Clark, Darby, Davis, Dorr, Fry, Finkbine, Garrett, Galland, Green, Gose, Gilchrist, Hale, Hixson, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Moir, McMaken, McNutt, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Simpson, Sturgis, Stiles, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare and Mr. Speaker—64.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Baylies, Burke, Brown, Day, Elliott, Fenn, Fuller, Hildreth, Littler, Lindley, Meissner, Munsell, Sears, Stanton, Wolf and White—20.

Absent or not voting, Messrs. Bereman, Carbee, Glendenning, Horton, King, McKnight, Paulk and Vinton.

The motion prevailed.

The question recurring on the motion to read the bill the 3d time and put it upon its passage, it was decided in the affirmative.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Brown, Carey, Clark, Darby, Dorr, Fry, Finkbine, Galland, Glendenning, Green, Gose, Gilchrist, Hale, Hixson, Helm, Hurst, Holdridge, Joy, Knox, Lathrop, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McNutt, McCall, McCormack, Oliver, Parker, Perry, Pritchard, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Skiles, Spurrier, Sweet, Thompson, Weare and Mr. Speaker—55.

The nays were Messrs. Andrews of Keokuk, Bruce, Burke, Campbell, Cort, Christoph, Close, Day, Davis, Elliott, Fenn, Fuller, Garrett, Hildreth, Horton, Jeffries, Johnson, Latham, Logan, Munsell, McMaken, Nelson, Potter, Russell of Jones, Russell of Washington, Richards, Smith, Van Sandt, Wolf and White—30.

Absent or not voting, Messrs. Bereman, Carbee, King, McKnight, O'Brien, Paulk and Vinton.

The bill passed and the title was agreed to:

On motion, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
WEDNESDAY, March 23d, 1864. }

House met pursuant to adjournment.

Prayer by the Rev. P. F. Brace.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

The committee on Claims to whom was referred Senate File No. 238, "A bill for an act to provide for correcting the account of the State with Grundy Co.," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House and recommend that the said bill do pass.

Respectfully submitted,

MOIR, Chairman.

The committee on Claims to whom was referred the claim of Ed. Entwistle for \$7,50 for paste, beg leave to report that they have had

the same under consideration, and have instructed me to report the same back to this House and recommend that said claim be allowed, and that the committee on Ways and Means put the same in the general appropriation bill.

All of which is respectfully submitted.

MOIR, Chairman.

Report adopted.

The committee on Claims to whom was referred the claim of J. L. Dana for carrying the Governor's proclamation to the counties of Story and Hamilton, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House and recommend that said claim be not allowed.

Respectfully submitted,

MOIR, Chairman.

The report was adopted.

The committee on Claims, to whom was referred the claim of Dr. A. S. Maxwell for \$55.92, for making report to this General Assembly, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to this House, and recommend that said claim be not allowed.

Respectfully submitted.

MOIR, Chairman.

The report was adopted.

The committee on Judiciary, to whom was referred Senate File No. 81, and Senate substitute therefor, "A bill for an Act to provide for the taking of depositions to be used in the county courts," have had the same under consideration, and have directed me to report the same back, with the recommendation that the Senate substitute do pass.

E. H. STILES, for Committee.

The committee on County and Township Organization, to whom was referred House File No. 160, "A bill for an Act respecting public Administrators," have directed me to report it back, recommending that it be referred to the committee on the Judiciary.

O. NELSON, Chairman.

The report was adopted.

Mr. Lathrop, from committee on Elections, introduced House File No. 171, "A bill for an Act to ascertain the citizens entitled to the right of suffrage in cities and incorporated towns, and to prevent fraudulent voting therein." Read a first and second time.

The committee on Public Lands to whom was referred Senate File No. 143, entitled "A bill for an Act further defining the powers and duties of the Register of the State Land Office, and providing for a seal," have had the same under consideration and have in-



structed me to report the bill back to the House and recommend its passage.

JOHN RUSSELL.

The Sanitary committee to whom was referred Senate File No. 236, "A bill for an Act for the relief of families of soldiers and marines in the service of the United States," beg leave to report that they have had the same under consideration, and recommend the following amendments:

Strike out the word "or" after the word "regiment" in the seventeenth line of Sec. 2, and after the word "Battery" in the same line and Section, insert "battalion or organization."

LATHAM, for committee.

Mr. Russell of Washington, by leave, presented the remonstrance of Wm. Harton and 39 others, against the repeal of the Liquor Law. Referred to committee on Intemperance.

MR. SPEAKER:—The Joint Committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 124, 195, and 108, and House resolution in reference to Ship Canal, find the same correctly enrolled and present them for your signature.

ALEX. RUNYON, Chairman.

Mr. McNutt offered the following preamble and resolutions.

JOINT RESOLUTION OF WELCOME TO LOUISIANA AS A FREE STATE.

WHEREAS, The loyal citizens of Louisiana, in accordance with the Proclamation of the President, have rallied under the protection and authority of the United States, reorganized their State government and elected a Union Governor; and

WHEREAS, His Excellency Michael Hahn, now Governor of that State, was duly inaugurated into his office on the 4th day of the present month, under auspices which declare the establishment of a powerful *Free State* at the mouth of the Mississippi, and the supremacy of Union, peace and liberty on the shores of the Gulf of Mexico; and

WHEREAS, Louisiana, by the free voice of her own citizens, returns back into the American Union first of all her southern sisters, we regard this auspicious event as the harbinger of peace and prosperity to all our land; therefore

*Resolved, by the General Assembly of the State of Iowa, That we congratulate the Union men of Louisiana upon their late achievement; and we most cordially welcome back into the Union that noble State, under a loyal government, and with the prospect that her soil will soon be entirely free from the curse of human slavery.*

*Resolved, That the Secretary of State be requested to forward a copy of this preamble and resolution, under the seal of the State of Iowa, to the Governor of Louisiana.*

Mr. Russell, of Washington, moved that the resolutions lie on the table and be printed, on which question the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Bromley, Baylies, Darby, Fry, Fuller, Garrett, Galland, Glendenning, Gose, Horton, Hurst, Joy, Littler, Lindley, Merriam, McCormack, McKnight, Nelson, Oliver, Parker, Perry, Russell of Washington, Runyon, Sears, Sturgis, Van Sandt, Weare, Wolf, and White—29.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Burke, Brown, Campbell, Carbee, Cort, Close, Clark, Day, Davis, Dorr, Elliott, Fenn, Green, Hildreth, Hixson, Helm, Holdridge, Jeffries, Johnson, Knox, Lathrop, Logan, Lindsey, Lyons, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, O'Brien, Pritchard, Potter, Russell of Jones, Richards, Sanderson, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson and Mr. Speaker—53.

Absent or not voting, Messrs. Bereman, Carey, Christoph, Finkbine, Gilchrist, Hale, King, Latham, Paulk and Vinton.

The motion did not prevail.

Mr. Johnson moved that the resolution be referred to committee on Federal Relations. Lost.

Mr. Magill moved that the resolution be referred to a select committee of three. Carried, and the Speaker appointed as said committee, Messrs. McNutt, Burke and Magill.

Mr. Glendenning offered the following resolution :

*Resolved, by the House of Representatives, the Senate concurring,* That the Secretary of State be authorized to furnish each officiating Chaplain of this General Assembly with one copy of the Revision of 1860 and all laws passed since that time.

The hour for special order having arrived, Substitute for House Files Nos. 102 and 158, "A bill for an Act in relation to Fire and Life Insurance Companies," was taken up.

Mr. Oliver moved to amend sixth Section, as follows :

Strike out the words "of the agencies" in the 57th line of Sec. 6, and insert the words "for Insurance of property or life." Carried.

Mr. Oliver moved to amend 20th Section eighth line, as follows :

After the words "companies," insert the words "for insurance of property or life." Lost.

Mr. Stiles moved to amend thirteenth line of 12th Section, by striking out the word "such" and inserting the word "any," and inserting after the word "agents" the words "of such company." Carried.

Mr. McMaken moved to amend second line of Sec. 3, by striking out the words "twenty-five" and inserting the word "ten." Lost.

Mr. Burke moved to amend twelfth line of Sec. 2 by striking out all preceding the proviso and after the word "from," and inserting

the words "The Clerk of the District Court, that said notes of the aforesaid stockholders who reside in his county, are in his opinion, good for the amount." Carried.

Mr. Russell of Jones, moved to amend seventh line of Sec. 18, as follows:

Insert after the words "laws of," the words "any," and striking off the letter "S" from the word "States." Carried.

Mr. Burke moved to amend Sec. 12, line thirteenth, by adding after the word "company" the words "residing in the county in which the cause of action arises, and in case no agent of such company should reside in said county, then the next nearest agent to the county in which said cause of action arose, is authorized to acknowledge service as aforesaid." Lost.

Mr. Logan moved to amend Sec. 15th, ninth line, as follows:

Strike out the word "one" and insert the word "three," and add the words "not published at the capitol." Lost.

Mr. Richards moved to amend Sec. 8 by striking out "twenty-five" and inserting "fifteen."

Mr. Lyons moved to amend the amendment by striking out "fifteen" and inserting "twenty." Lost.

The question recurring on the motion of Mr. Richards, it was decided in the negative.

Mr. Latham moved that the Bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McNutt, McCall, Oliver, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Sturgis, Stiles, Stanton, Smith, Spurrier, Van Sandt, Weare, Wolf, White and Mr. Speaker—70.

The nays were Messrs. Bruce, Bell, Brown, Cort, Fenn, Hildreth, McMaken, Nelson, O'Brien, Parker, Skiles and Thompson—12.

Absent or not voting, Messrs. Bereman, Gilchrist, King, Lathrop, Littler, McCormack, McKnight, Simpson, Sweet and Vinton.

The bill passed and the title was agreed to.

On motion, the House adjourned.

TWO O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Nelson, by leave, presented the following report, which was adopted.

The committee on County and Township Organization to whom was referred sundry petitions and remonstrances relating to a change of county government, together with petitions and resolutions asking for a Township Collector system, have directed me to report that inasmuch as the subject has already been disposed of by the House, they recommend that the same lie on the table.

O. NELSON, Chairman.

## MESSAGES AND COMMUNICATIONS.

Senate File No. 236, "A bill for an Act for the relief of families of soldiers and marines in the service of the United States," was taken up, read a 1st and 2d time and referred to committee on Railroads.

House File No. 47, "A bill for an Act granting the right of way to open and drain coal mines," with Senate amendment, was taken up, and on motion, the amendment was concurred in.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Buckingham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Garrett, Galland, Glendenning, Green, Gose, Hixson, Helm, Horton, Holdridge, Joy, Johnson, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Van Sandt, Wear, White and Mr. Speaker—73.

The nays were Mr. Fuller—1.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Bell, Cort, Christoph, Finkbine, Gilchrist, Hale, Hildreth, Hurst, Jeffries, King, Littler, Munsell, Sturgis, Thompson, Wolf and Vinton.

The bill passed and the title was agreed to.

## MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed Senate File No. 208, "A bill for an Act to provide for publishing general laws in certain German newspapers."

And the following concurrent resolutions:

Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Oliver, Parker, Perry, Pritchard, Potter, Runyon, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Wolf, White and Mr. Speaker—70.

The nays were Messrs. Burke, Cort, Christoph, Magill, McKnight, Nelson, O'Brien, Paulk, Russell of Washington, Richards and Weare—11.

Absent or not voting, Messrs. Bereman, Davis, Fuller, Gilchrist, Hildreth, King, Littler, Meissner, Russell of Jones, Stiles and Vinton.

The bill passed and the title was agreed to.

House File No. 36, "A bill for an Act to provide for the publication of certain laws," was taken up.

Mr. Stiles moved that the bill be indefinitely postponed. Carried.

House File No. 159, "A bill for an Act supplemental to Chap. 175, of the Revision of 1860, offenses against the public peace," was taken up.

Mr. Cort moved that the bill be indefinitely postponed. Lost.

On motion, the bill was read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Finkbine, Garrett, Galland, Glendenning, Hale, Hildreth, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Perry, Pritchard, Potter, Russell of Washington, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—72.

The nays were Messrs. Cort, Christoph, Green, Gose, Lathrop, Lindley, Oliver, O'Brien, Parker, Paulk and Richards—11.

Absent or not voting, Messrs. Bereman, Fuller, Gilchrist, Hurst, King, Littler, Russell of Jones, Smith and Vinton.

The bill passed and the title was agreed to.

Senate File No. 113, "A bill for an Act authorizing the Trustees of the State University to sell the saline lands, and for other purposes," was taken up.

Mr. Hale moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Gose, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Richards, Runyon, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—79.

The nays were Messrs. Lindley and Russell of Washington—2.

Absent or not voting, Messrs. Bereman, Burke, Brown, Green, Gilchrist, King, McCall, McCormack, Russell of Jones, Sears and Vinton.

The bill passed and the title was agreed to.

Mr. Simpson, by leave, introduced House File No. 172, "A bill for an Act in relation to costs and expenses on the conduct of certain suits." Read a 1st and 2d time and referred to committee on Judiciary.

Senate File No. 142, "A bill for an Act to facilitate the construction and operation of Railroads in the State of Iowa," was taken up with the amendments recommended by committee.

On motion, the amendments were adopted.

On motion the bill was read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Darby, Elliott, Fenn, Galland, Glendenning, Gose, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Knox, Lathrop, Logan, Lindley, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Oliver, Paulk, Perry, Pritchard, Potter, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—66.

The nays were Messrs. Andrews of Keokuk, Day, Davis, Dorr, Fry, Fuller, Garrett, Hale, Lyons, McKnight, Nelson and Parker—12.

Absent or not voting, Messrs. Bereman, Burke, Brown, Finkbine, Green, Gilchrist, King, Latham, Littler, Lindsey, McCormack, O'Brien, Russell of Jones, and Vinton.

The bill passed, and the title was agreed to.

House File No. 84, "A bill for an Act granting to Railroad companies the right of way over the streets of incorporated towns and

cities of the second class, and to provide for the payment of damages arising therefrom," was taken up.

Mr. Maxwell moved that the bill be read a 3d time and put upon its passage.

Mr. Richards offered the following as Sec. 4:

"The provisions of this act shall not apply to cities having more than five thousand inhabitants." Lost.

The question recurring on the motion of Mr. Maxwell, it was decided in the affirmative.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bromley, Burke, Brown, Campbell, Cort, Elliott, Fenn, Garrett, Glendenning, Hixson, Jeffries, Joy, Latham, Logan, Lindsey, Lyons, Magill, Maxwell, Moir, McCall, Nelson, Oliver, Parker, Paulk, Perry, Potter, Stanton and White—28.

The nays were Messrs. Andrews of Keokuk, Bruce, Bell, Buckham, Baylies, Carey, Carbee, Christoph, Clark, Day, Davis, Fry, Fuller, Galland, Gose, Horton, Hurst, Holdridge, Knox, Lathrop, Littler, Lindley, Merriam, Meissner, Munsell, McMaken, Russell of Washington, Richards, Sanderson, Sears, Stiles, Smith, Skiles, Spurrier, Sweet, Thompson, Weare, Wolf and Mr. Speaker—39.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Close, Darby, Dorr, Finkbine, Green, Gilchrist, Hale, Hildreth, Helm, Johnson, King, Mills, McNutt, McCormack, McKnight, O'Brien, Pritchard, Russell of Jones, Runyon, Simpson, Sturgis, Van Sandt and Vinton.

The bill did not pass.

Senate File No. 153, "A bill for an Act to fix the compensation of the guards of the Iowa Penitentiary," was taken up.

Mr. Maxwell moved that the bill be read a 3d time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bruce, Bromley, Baylies, Brown, Campbell, Carbee, Clark, Davis, Dorr, Elliott, Fenn, Finkbine, Galland, Glendenning, Gose, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McCall, Nelson, Parker, Paulk, Perry, Potter, Runyon, Simpson, Sturgis, Stiles, Stanton, Smith, Spurrier, Thompson, Van Sandt, Wolf, White and Mr. Speaker—54.

The nays were Messrs. Andrews of Decatur, Bell, Buckham, Burke, Carey, Cort, Christoph, Close, Day, Knox, Oliver, O'Brien, Russell of Washington, Richards, Skiles and Sweet—15.

Absent or not voting, Messrs. Bereman, Darby, Fry, Fuller, Garrett, Green, Gilchrist, Hale, Hildreth, Johnson, King, Lathrop, Mills,

McNutt, McCormack, McKnight, Pritchard, Russell of Jones, Sanderson, Sears, Vinton and Weare.

The bill passed and the title was agreed to.

House File No. 116, "A bill for an Act for the transfer of real estate, to regulate the assessment thereof, and facilitate the collection of revenue," was taken up.

Mr. Stiles moved to strike out all after the third line, and insert the following: "After that time until double the usual fee for recording the same shall be paid." Carried.

Mr. Maxwell moved that the bill be read a third time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Bromley, Buckham, Baylies, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hixson, Helm, Horton, Hurst, Jeffries, Joy, Johnson, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McCall, McCormack, Nelson, Parker, Paulk, Perry, Potter, Russell of Jones, Richards, Runyon, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Wolf, and Mr. Speaker—71.

The nays were Messrs. Burke, Hale, McNutt, Oliver and White—5.

Absent or not voting, Messrs. Bereman, Fenn, Fry, Gilchrist, Hildreth, Holdridge, King, Knox, Lathrop, McKnight, O'Brien, Pritchard, Russell of Washington, Sanderson, Vinton and Weare.

The bill passed and the title was agreed to.

House Files Nos. 130 and 153, and Senate File No. 69, bills relating to Agricultural Fairs, were taken up, with substitute bill offered by committee.

Mr. Thompson moved that the substitute bill be adopted. Carried.

On motion, the bill was read a third time and put upon its passage.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Knox, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Maxwell, Meissner, Mills, Munsell, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk,



Perry, Potter, Russell of Jones, Richards, Runyon, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Wolf, White and Mr. Speaker—76.

The nays were Messrs. Magill, Moir and McCormack—3.

Absent or not voting Messrs. Bereman, Christoph, Fry, Gilchrist, Johnson, King, Lathrop, McKnight, Pritchard, Russell of Washington, Sanderson, Vinton and Weare.

The bill passed and the title was agreed to.

House File No. 167, "A bill for an Act to fix the salaries of District Judges," was taken up.

Mr. Russell, of Jones, moved that the bill be indefinitely postponed.

Mr. Moir moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Absent without leave, Messrs. Fry, Lathrop, McKnight, Russell of Washington, and Sanderson.

Mr. Russell, of Jones, moved that further proceedings under the call be dispensed with. Carried.

Mr. Andrews, of Keokuk, moved the previous question, which was seconded.

On the question "Shall the main question be put?" it was decided in the affirmative.

The question recurring on the motion to indefinitely postpone, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Brown, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Dorr, Elliott, Fry, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Hildreth, Hurst, Jeffries, Knox, Latham, Littler, Lyons, Maxwell, Meissner, Munsell, McMaken, McCall, McKnight, O'Brien, Potter, Russell of Jones, Richards, Simpson, Stanton, Spurrier, Sweet, Thompson and White—45.

The nays were Messrs. Andrews of Keokuk, Buckham, Baylies, Burke, Davis, Fenn, Finkbine, Galland, Hale, Helm, Holdridge, Joy, Johnson, Logan, Lindley, Lindsey, Merriam, Magill, Mills, Moir, McNutt, McCormack, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Runyon, Sears, Sturgis, Stiles, Smith, Skiles, Van Sandt, Weare, Wolf and Mr. Speaker—39.

Absent or not voting, Messrs. Bereman, Gilchrist, Horton, King, Lathrop, Russell of Washington, Sanderson and Vinton.

The motion prevailed.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
THURSDAY, March 24th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Darby.

Journal of yesterday read and approved.

## REPORTS OF COMMITTEES.

**MR. SPEAKER** :—The Committee of Ways and Means to whom was referred House File No. 166, "A bill for an Act in relation to the meetings and business of the County Board of Supervisors and State Board of Equalization," would report the same back to the House with a substitute, and recommend that said substitute be passed by the House.

**MERRIAM** for Committee.

The Committee on Schools and State University, to whom was referred Senate File No. 206, "A bill for an Act to authorize the Treasurer of the State University to loan the permanent fund of said University at an interest of not less than eight per cent. per annum," have considered the same, and instructed me to report the bill back with recommendation that it do not pass.

**HILDRETH**, Chairman.

The Committee on Schools and State University to whom was referred House File No. 32, "A bill for an Act concerning the government of Public Institutions of Charity and Learning, have considered the same, and instructed me to report it back with the recommendation that it do not pass.

**HILDRETH**, Chairman.

The Committee on Schools and State University to whom was referred House File No. 103, "A bill for an Act to amend Article 9, Chap. 89 of the Revision of 1860, so as to provide for the introduction of Worcester's Unabridged Dictionary in the Common Schools of the State, have examined the bill and instructed me to report the same back without recommendation.

**HILDRETH**, Chairman.

**Mr. Hildreth**, from committee on Schools and University, introduced House File No. 178, "A bill for an Act to amend Sec. 2023 Chap. 88 of the Revision of 1860." Read 1st and 2d time.

**Mr. Davis** moved that the rule be suspended, the bill read a 3d time and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown, Ca-

rey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Galland, Green, Hale, Hildreth, Helm, Hurst, Holdridge, Johnson, Knox, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McNutt, McCall, McCormack, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Sturgia, Stiles, Stanton, Smith, Skiles, Spurrier, Sweet, Thompson, Van Sandt, Weare, Wolf and Mr. Speaker—74.

The nays were none.

Absent or not voting, Messrs. Bereman, Garrett, Glendenning, Gose, Gilchrist, Hixson, Horton, Jeffries, Joy, King, Littler, Mills, McKnight, Nelson, Parker, Russell of Washington, Vinton and White.

The bill passed and the title was agreed to.

Mr. Paulk asked for leave of absence for Mr. Brown. Granted.

The committee on Agriculture, to whom was referred a joint resolution passed by the Senate, "instructing our Senators and Representatives in Congress to use their influence to procure the enactment of a law by Congress, extending the time in which the State is to complete the Agricultural College in order to entitle her to the land grant of 240,000 acres of land for a period of ten years," have considered the same, and recommend that no further action is considered necessary at this time, and that the resolution be laid on the table.

H. M. THOMPSON, Chairman.

The report was adopted.

MR. SPEAKER:—The joint committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 96, 158, and 97; also, House File No. 86, and resolution co-operating with United States Sanitary Commission, find the same correctly enrolled, and present them for your signature.

ALEX. RUNYON, Chairman.

Mr. Runyon asked to be excused from on committee on Enrolled Bills. Granted. Mr. Meissner was added to the committee.

Mr. Finkbine reported back House File No. 65, "A bill for an Act to authorize the establishment of Houses of Refuge," without any recommendation.

The committee on Judiciary, to whom was referred Senate File No. 7, "A bill for an Act to change the time of holding County Courts in April and August," have had the same under consideration, and instructed me to report the same back with the recommendation that it pass.

EDWARD H. STILES, for Committee.

The Judiciary Committee, to whom was referred Senate File No. 111, "A bill for an Act to amend Sec. 777, of the Revision of 1860,"

have had the same under consideration, and directed me to report the same back with the recommendation that it pass.

EDWARD H. STILES, for Committee.

Mr. Stiles asked for leave of absence for Mr. Knox. Granted.

#### REPORTS OF SELECT COMMITTEES.

Your committee, to whom was referred Senate File No. 105, "A bill for an Act to permanently locate the Asylum for the education of the Deaf and Dumb, and to provide a building for the same," have had the same under consideration, and have directed me to report it back to this House, with certain amendments, and recommend its passage as amended.

A. J. BELL, for Committee.

Mr. Bell moved that the rule be suspended, the bill read a third time, and put upon its passage. Lost.

The select committee, to whom was referred Senate File No. 210, "An Act for the separation of the offices of Recorder and Treasurer," ask leave to report that they have examined the same, and unanimously recommend its passage without amendment.

B. B. RICHARDS,  
EDWARD H. STILES.  
MOIR,  
GEO. M. MAXWELL,  
P. F. STURGIS.

Your committee, to whom was referred the joint resolution of welcome to the Free State Government of Louisiana, have had the same under consideration, and unanimously instructed me to report the same back with certain alterations and amendments, and recommend that the same be adopted as amended.

SAMUEL McNUTT, for Committee.

The report was adopted.

Mr. Close, by leave, introduced House File No. 174, "A bill for an Act to amend Sec. 1079 of Chap. 51 of the Revision of 1860." Read a 1st and 2d time and referred to committee on Incorporations.

Mr. Helm, by leave, introduced House File No. 175, "A bill for an Act fixing the compensation of Township Clerks in certain cases." Read a 1st and 2d time and referred to committee on County and Township Organizations.

#### MESSAGES AND COMMUNICATIONS.

Senate File No. 208, "A bill for an Act to provide for the publication of the laws of a general nature of the 10th General Assembly, in certain German newspapers, and for the translation thereof," was taken up, and referred to committee on Printing.

Senate Joint Resolution relating to the distribution of certain books in the hands of the Secretary of State, was taken up and adopted.

BILLS READ A SECOND TIME.

House File No. 45, "A bill for an Act to extend the jurisdiction of County Courts in civil and criminal cases, and for other purposes," was taken up.

Mr. Maxwell moved to lay the bill on the table. Carried.

House File No. 101, "A bill for an Act to amend an act entitled an act to amend Chap. 45 of the Revision of 1860, passed at the regular session of the 9th General Assembly, in relation to Revenue," was taken up, with substitute bill.

Mr. Moir moved that the substitute bill be adopted. Carried.

Mr. Wolf moved to amend as follows:

Strike the words "he shall" out of fifteenth line and insert the words "he shall" between the words "and" and "together" in the fourteenth line, and insert after the word "taxes" in sixteenth line the words "and pay said five per cent. with said taxes into the County Treasury."

Mr. Moir moved to recommit the whole matter to the select committee who reported the bill. Carried.

Senate File No. 163, "A bill for an Act to organize and discipline the militia," was taken up.

Mr. Latham moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Baylies, Burke, Carey, Campbell, Cort, Christoph, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fry, Garrett, Galland, Green, Hildreth, Hurst, Holdridge, Joy, Johnson, Knox, Latham, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Meissner, Mills, Moir, McMaken, McNutt, McCall, Oliver, O'Brien, Parker, Pritchard, Potter, Russell of Jones, Richards, Ranyon, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Wolf and Mr. Speaker—62.

The nays were Messrs. Close, Gose, Littler, Maxwell, Munsell, McCormack, Perry and Weare—8.

Absent or not voting, Messrs. Bereman, Bromley, Brown, Carbee, Fuller, Finkbine, Glendenning, Gilchrist, Hale, Hixson, Helm, Horton, Jeffries, King, McKnight, Nelson, Paulk, Russell of Washington, Sears, Sweet, Vinton and White.

The bill passed and the title was agreed to.

Senate File No. 144, "A bill for an Act to repeal Sec. 2024, of the Revision of 1860, in relation to the time of holding the terms

of the Supreme Court, and to provide a substitute therefor," was taken up.

Mr. Baylies moved to indefinitely postpone the bill. Carried.

Mr. Stiles moved that the vote by which House File No. 84, "A bill for an Act granting to railroad companies the right of way over the streets of incorporated towns and cities of the second class, and to provide for the payment of damages arising therefrom," was lost, be reconsidered. Carried.

Mr. Moir moved that the vote by which the bill was ordered to a third reading, be reconsidered. Carried.

Mr. Magill offered a substitute for the bill.

On motion, the substitute was adopted.

Mr. Magill moved that the bill be read a 3d time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Bell, Baylies, Campbell, Carbee, Cort, Close, Darby, Davis, Fenn, Finkbine, Galland, Gose, Hale, Hildreth, Hixson, Helm, Horton, Holdridge, Lathan, Logan, Lindsey, Lyons, Merriam, Magill, Mills, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Richards, Runyon, Sanderson, Sears, Sturgis, Stanton, Skiles, Thompson and Mr. Speaker—49.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Buckham, Burke, Carey, Day, Dorr, Elliott, Fry, Garrett, Green, Hurst, Joy, Johnson, Knox, Lathrop, Littler, Meissner, Munsell, McCormack, Russell of Jones, Russell of Washington, Spurrier and Wolf—24.

Absent or not voting, Messrs. Bereman, Brown, Christoph, Fuller, Glendenning, Gilchrist, Jeffries, King, Lindley, Maxwell, McKnight, Simpson, Stiles, Smith, Sweet, Van Sandt, Vinton, Weare and White.

The bill passed and the title was agreed to.

House File No. 141, "A bill for an Act providing for the taxation of the property of railroad incorporations," with majority and minority reports, was taken up.

Mr. McNutt moved to adopt the minority report.

Mr. Merriam moved that that the substitute bill offered by majority of committee, be adopted.

Mr. Dorr moved to adjourn. Lost.

The question recurring on the motion to adopt the substitute, it was decided in the affirmative.

Mr. Butler moved to amend Sec. 1, by striking out the word "two," and inserting the word "five."

Mr. Magill moved to amend the amendment by striking out "five," and inserting "fifteen."

Mr. Sears moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion of Mr. Magill, it was lost.

The question recurring on the motion of Mr. Butler, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Buckham, Carey, Campbell, Cort, Christoph, Clark, Day, Davis, Dorr, Fry, Finkbine, Garrett, Green, Gose, Hale, Horton, Hurst, Holdridge, Littler, Lindley, Lindsey, Lyons, Maxwell, Meissner, Mills, Munsell, McNutt, McCormack, McKnight, Potter, Russell of Jones, Russell of Washington, Stiles, Stanton, Smith, Spurrier, Sweet, Van Sandt, Wolf and Mr. Speaker—43.

The nays were Messrs. Bromley, Bell, Baylies, Burke, Carbee, Close, Darby, Elliott, Fenn, Fuller, Galland, Glendenning, Hixson, Helm, Joy, Johnson, Latham, Lathrop, Logan, Merriam, Magill, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Richards, Sanderson, Sears, Simpson, Sturgis, Skiles and Weare—37.

Absent or not voting, Messrs. Bereman, Brown, Gilchrist, Hil-dreth, Jeffries, King, Knox, Moir, Runyon, Thompson, Vinton and White.

The motion prevailed.

On motion, the bill was ordered to be read a 3d time and put upon its passage.

Mr. Butler moved a call of the House, which was seconded.

Mr. Hurst moved to adjourn. Lost.

The Clerk proceeded to call the roll.

Absent without leave, Messrs. Jeffries, Moir, Weare and White.

Mr. Stiles moved that further proceedings under the call be dispensed with. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Carey, Campbell, Cort, Christoph, Clark, Day, Davis, Dorr, Fenn, Fry, Fuller, Finkbine, Garrett, Green, Gose, Hale, Horton, Hurst, Holdridge, Littler, Lindley, Lindsey, Lyons, Maxwell, Meissner, Mills, Munsell, McNutt, McCormack, McKnight, Pritchard, Potter, Russell of Jones, Russell of Washington, Sears, Stiles, Stanton, Smith, Spurrier, Sweet, Van Sandt, Wolf and Mr. Speaker—48.

The nays were Messrs. Bromley, Baylies, Burke, Close, Elliott, Galland, Glendenning, Hixson, Helm, Joy, Johnson, Latham, Lathrop, Logan, Merriam, Magill, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Richards, Sanderson, Simpson, Sturgis and Skiles—29.

Absent or not voting, Messrs. Bereman, Brown, Carbee, Darby,

Gilchrist, Hildreth, Jeffries, King, Knox, Moir, Runyon, Thompson, Vinton, Weare and White.

The bill passed and the title was agreed to.

On motion, the House adjourned.

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TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Hale moved a call of the House, which was seconded.

The clerk proceeded to call the roll.

Absent without leave, Messrs. Burke, Hixson, Hurst, Lindsey, McKnight and Wolf.

Mr. Dorr moved that further proceedings under the call be dispensed with. Lost.

Mr. White moved to adjourn. Lost.

Mr. Johnson moved that further proceedings under the call be dispensed with. Carried.

Senate File No. 106, "A bill for an Act to provide for the purchase of the building used as a Capitol, and the lots on which the same is situated, and to secure the School Fund, and for other purposes," which was made the special order, was taken up.

Mr. Hale moved that the bill be read a 3d time and put upon its passage. Lost.

Mr. Sears moved to strike out 3d preamble.

Mr. Paulk moved to amend the amendment, by striking out the preceding preambles. On which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bromley, Cort, Christoph, Day, Dorr, Fuller, Finkbine, Green, Helm, Hurst, Holdridge, Lathrop, Littler, Lindsey, Magill, Maxwell, Meissner, Moir, McNutt, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Pritchard, Russell of Jones, Richards, Sears, Simpson, Sturgis, Spurrier, Sweet, Vinton, Wolf and White—36.

The nays were Messrs. Andrews of Keokuk, Bruce, Bell, Buckingham, Baylies, Burke, Carey, Campbell, Carbee, Close, Clark, Davis, Elliott, Fenn, Fry, Garrett, Galland, Glendenning, Hale, Hildreth, Hixson, Horton, Jeffries, Joy, Johnson, Latham, Lindley, Lyons, Merriam, Mills, Munsell, McMaken, McCall, McCormack, Perry, Russell of Washington, Runyon, Sanderson, Stiles, Stanton, Smith, Skiles, Thompson, Van Sandt, Weare and Mr. Speaker—46.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Brown, Darby, Gose, Gilchrist, King, Knox, Logan and Potter.

The motion did not prevail.



Mr. Russell of Jones offered House File No. 87, "A bill for an act to provide for the collection of money due the permanent School Fund of the State of Iowa," as a substitute for the bill under consideration, and moved its adoption.

On which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Carey, Carbee, Cort, Christoph, Day, Dorr, Fuller, Finkbine, Green, Hale, Hildreth, Helm, Hurst, Holdridge, Lathrop, Logan, Littler, Lindsey, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McNutt, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Richards, Sanderson, Sears, Simpson, Sturgis, Spurrier, Sweet, Vinton, Wolf and White—45.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Campbell, Clark, Davis, Elliott, Fenn, Fry, Garrett, Galland, Glendenning, Hixson, Horton, Jeffries, Joy, Johnson, Latham, Lindley, Lyons, Merriam, Mills, McCall, Russell of Washington, Runyon, Stiles, Stanton, Smith, Skiles, Thompson, Van Sandt, Weare and Mr. Speaker—38.

Absent or not voting, Messrs. Bereman, Brown, Close, Darby, Gose, Gilchrist, King, Knox, and Potter.

The motion prevailed.

Mr. Hale moved to reconsider the vote just taken.

Mr. Green moved to lay the motion on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Carey, Christoph, Close, Day, Fuller, Green, Hildreth, Hurst, Holdridge, Lathrop, Littler, Lindsey, Magill, Maxwell, Munsell, Moir, McMaken, McNutt, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Pritchard, Potter, Russell of Jones, Richards, Sanderson, Sears, Simpson, Sturgis, Spurrier, Sweet, Vinton and White.—36.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Campbell, Carbee, Cort, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fry, Garrett, Galland, Glendenning, Hale, Hixson, Helm, Horton, Jeffries, Joy, Johnson, Latham, Logan, Lindley, Lyons, Merriam, Mills, McCall, McCormack, Perry, Russell of Washington, Runyon, Stiles, Stanton, Smith, Skiles, Thompson, Van Sandt, Weare and Mr. Speaker—46.

Absent or not voting, Messrs. Bereman, Burke, Brown, Finkbine, Gose, Gilchrist, King, Knox, Meissner and Wolf.

The motion did not prevail.

The question recurring on the motion to reconsider, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Campbell, Clark,

Davis, Elliott, Fenn, Fry, Galland, Glendenning, Gose, Hale, Hixson, Horton, Jeffries, Joy, Johnson, Latham, Lindley, Lyons, Merriam, Mills, McNutt, McCall, McCormack, O'Brien, Potter, Russell of Washington, Runyon, Simpson, Stiles, Stanton, Smith, Skiles, Thompson, Van Sandt, Weare and Mr. Speaker—43.

The nays were Messrs. Burke, Carey, Carbee, Cort, Christoph, Close, Day, Dorr, Fuller, Finkbine, Green, Hildreth, Helm, Holdridge, Hurst, Lathrop, Logan, Littler, Lindsey, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McKnight, Nelson, Oliver, Parker, Paulk, Pritchard, Russell of Jones, Richards, Sanderson, Sears, Sturgis, Spurrier, Sweet, Vinton, Wolf and White—41.

Absent or not voting, Messrs. Bereman, Brown, Darby, Garrett, Gilchrist, King, Knox and Perry.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has indefinitely postponed House File No. 112, "A bill for an Act granting to certain railroad companies an extension of time for completing their roads, upon the performance of certain conditions, and for the forfeiture of rights and lands in certain cases."

And has passed Senate File No. 237, "A bill for an Act to provide for a settlement of claims of the State against Winterbotham & Jones."

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

Mr. Latham moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the adoption of the substitute, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Burke, Carey, Carbee, Cort, Christoph, Close, Day, Dorr, Fuller, Finkbine, Green, Hildreth, Helm, Hurst, Holdridge, Lathrop, Logan, Littler, Lindsey, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Sanderson, Sears, Sturgis, Spurrier, Sweet, Wolf and White—43.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Baylies, Campbell, Clark, Davis, Elliott, Fenn, Fry, Garrett, Galland, Glendenning, Gose, Hale, Hixson, Horton, Jeffries, Joy, Johnson, Latham, Lindley, Lyons, Merriam, Mills, McNutt, McCall, McCormack, Russell of Washington, Runyon, Simpson, Stiles, Stanton, Smith, Skiles, Thompson, Van Sandt, Weare and Mr. Speaker—41.

Absent or not voting, Messrs. Bereman, Bromley, Brown, Darby, Gilchrist, King, Knox and Vinton.

The motion prevailed.

Mr. Finkbine asked for leave of absence for Mr. Sweet for the remainder of the session. Granted.

Mr. Horton, from committee on Enrolled Bills, made the following report:

MR. SPEAKER:—The Committee on Enrolled Bills beg leave to report that they have examined House File No. 11, Senate Files Nos. 37 and 153, find them correctly enrolled, and present the same for your signatures.

And have presented House File No. 86, and a joint resolution relative to sanitary affairs, to the Governor.

HORTON, Chairman.

On motion, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
FRIDAY, March 25th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Thompson Bird.

Journal of yesterday read and approved.

#### REPORTS OF COMMITTEES.

Mr. Moir reported back the claim of Sam. Miller and G. Robinson, and recommended it be not allowed.

Report adopted.

MR. SPEAKER:—The Committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 93 and 113, find them correctly enrolled, and present the same for your signature.

HORTON, Chairman.

The Standing Committee on Railroads to whom was referred House File No. 131, having considered the same, have instructed me to report the same back without recommendation.

MAGILL, for Committee.

The standing committee on Railroads to whom was referred a joint resolution from the Senate asking Congress to extend the time for the completion of Land Grant Railroads upon certain conditions, have instructed me to report the same back, and recommend its adoption.

S. G. MAGILL, for Committee.

**MR. SPEAKER:**—The Committee on Railroads to whom was referred substitute for Senate Files Nos. 167 and 197, "A bill for an Act supplemental to Chap. 99 of the laws of the 7th General Assembly, approved March 22d, 1858, and relating to the Des Moines River Land Grant, and for the payment of certain audited claims, and releasing to the United States certain occupied lands included in said grant," have had the same under consideration, and have instructed me to report the same back to this House with the accompanying amendments, and they recommend that so amended it do pass.

OLIVER, for Committee.

#### RESOLUTIONS.

Mr. Hildreth introduced the following resolution:

*Resolved*, That no speech shall occupy more than five minutes, unless by unanimous consent of the House, and even in that case not more than ten minutes.

Mr. Hale moved to amend by striking out "unanimous consent." Lost.

Mr. Magill moved to strike out "five" and insert "ten." Lost.

Mr. Oliver moved to amend by striking out the word "unanimous," and inserting after the word consent, the words "of two-thirds." Lost.

Mr. Oliver moved to amend by striking out "five" and inserting "three." Lost.

Mr. Finkbine moved to strike out "five" and insert "2." Lost.

Mr. Hale moved that the resolution lie on the table. Lost.

On motion, the rule was suspended, and the resolution was adopted.

The Joint Resolution reported back by Railroad committee was taken up.

Mr. Maxwell moved that the resolution be indefinitely postponed.

Mr. Moir moved to amend the resolution as follows:

Strike out all after the words "eighteen hundred and sixty-six."

Mr. Hildreth moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion of Mr. Moir, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Burke, Carbee, Close, Day, Elliott, Hildreth, Hixson, Helm, Holdridge, Lathrop, Moir, Nelson, O'Brien, Parker, Paulk, Perry, Potter, Russell of Jones, Sanderson, Simpson, Sturgis, Stanton, Skiles, Thompson, Vinton, Weare and White—27.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Baylies, Carey, Campbell, Cort, Christoph, Clark, Davis, Dorr, Fenn, Fry, Fuller, Garrett, Galland, Glen-

denning, Green, Gose, Hale, Horton, Hurst, Jeffries, Joy, Johnson, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Maxwell, Meissner, Mills, McMaken, McCormack, McKnight, Oliver, Pritchard, Russell of Washington, Sears, Stiles, Smith, Spurrier, Van Sandt, Wolf and Mr. Speaker—50.

Absent or not voting, Messrs. Bereman, Bromley, Brown, Darby, Finkbine, Gilchrist, King, Knox, Magill, Munsell, McNutt, McCall, Richards, Runyon and Sweet.

The motion did not prevail.

The question recurring on the motion to indefinitely postpone, the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Bell, Burke, Carbee, Cort, Christoph, Close, Day, Elliott, Fuller, Hildreth, Lathrop, Maxwell, Moir, Nelson, O'Brien, Parker, Paulk, Pritchard, Simpson, Sturgia, Stanton, Skiles, Vinton, Weare and White—25.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Carey, Campbell, Clark, Davis, Dorr, Fenn, Fry, Garrett, Galland, Glendenning, Green, Gose, Hale, Hixson, Helm, Horton, Hurst, Jeffries, Joy, Johnson, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Meissner, Mills, McMaken, McCormack, McKnight, Oliver, Perry, Potter, Russell of Jones, Russell of Washington, Runyon, Sanderson, Sears, Stiles, Smith, Spurrier, Thompson, Van Sandt, Wolf and Mr. Speaker—57.

Absent or not voting, Messrs. Bereman, Brown, Darby, Finkbine, Gilchrist, Holdridge, King, Knox, Munsell, McNutt, McCall, Richards and Sweet.

The motion did not prevail.

Mr. Oliver moved to amend as follows :

*"And provided,* That said road shall in no case be entitled to receive lands more than twenty miles in advance of the point to which their respective roads are completed and actually operated."

Mr. Moir moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion to amend, it was lost.

On the question to adopt, the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Carey, Campbell, Clark, Day, Davis, Dorr, Fry, Fuller, Garrett, Galland, Green, Gose, Hale, Helm, Horton, Hurst, Jeffries, Joy, Johnson, Latham, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Meissner, Mills, Munsell, McMaken, McNutt, McCormack, McKnight, Oliver, Parker, Perry, Russell of Jones, Russell of Washington, Runyon, Sanderson, Sears, Stiles, Smith, Spurrier, Van Sandt, Wolf, and Mr. Speaker—53.

The nays were Messrs. Bell, Burke, Carbee, Cert, Christoph, Close, Elliott, Fenn, Hildreth, Hixson, Holdridge, Lathrop, Logan, Maxwell, Moir, McCall, Nelson, O'Brien, Paulk, Pritchard, Potter, Simpson, Sturgis, Stanton, Skiles, Thompson, Vinton, Weare, and White—29.

Absent or not voting, Messrs. Bereman, Brown, Darby, Finkbine, Glendenning, Gilchrist, King, Knox, Richards and Sweet.

The motion prevailed.

Mr. Lyons offered the following resolution :

*Resolved*, That the Secretary of State be authorized to distribute to the Clerks and Sergeant-at-arms of this House, each one copy of the Revision of 1860. Also, one copy of the Adjutant General's Report up to January 1st, 1864.

Adopted.

#### MESSAGES AND COMMUNICATIONS.

Senate File No. 237, "A bill for an Act to provide for the settlement of claims of the State against Winterbotham & Jones," was taken up, read a first and second time, and referred to committee on Claims.

Mr. Latham moved that the bill under discussion at the hour of adjournment, House File No. 87, "A bill for an Act to provide for the collection of money due the permanent school fund of the State of Iowa," be taken up. Carried.

Mr. Merriam moved to amend Sec. 3, third line, by striking out the words, "July, 1861," and insert the words, "March, 1865." Carried.

Mr. Stiles offered an amendment to Sec. 4.

Mr. Finkbine moved to refer the whole matter to a select committee of seven, with instructions to report at 10 o'clock A. M. Carried.

The Speaker appointed as the committee, Messrs. Finkbine, Stiles, Paulk, Baylies, Parker, Hale and Wolf.

Mr. Andrews, of Keokuk, from committee on Military Affairs, offered the following resolution :

*Resolved*, by the General Assembly of the State of Iowa, That the Secretary of State be directed to furnish to the Adjutant General a sufficient number of copies of the Adjutant General's Report for January 1, 1863, as will enable the Adjutant General to furnish such officers of the United States Army with copies of said report, in cases where said reports so furnished will advance the interests of the soldiers from the State of Iowa.

The resolution was adopted.

Also the following resolution :

*Resolved*, by the General Assembly of the State of Iowa, That the Secretary of State and Adjutant General be directed to distribute

the reports of the Adjutant General for January 1, 1865, to the person entitled thereto, at the expense of the State.

The resolution was adopted.

Also introduced House File No. 176, "A bill for an Act relating to the reports of the Adjutant General for 1866." Read a first and second time, and, on motion, the rule was suspended, the bill read a third time, and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Clark, Day, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gose, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Latham, Lathrop, Logan, Littler, Lindsey, Lyons, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Russell of Washington, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—74.

The nays were Mr. Close.—1.

Absent or not voting, Messrs. Bereman, Brown, Cort, Christoph, Darby, Finkbine, Gilchrist, Hildreth, King, Knox, Merriam, O'Brien, Paulk, Russell of Jones, Richards, Sweet and Weare.

The bill passed and the title was agreed to.

Mr. Moir moved that the vote by which the second resolution offered by Mr. Andrews, was adopted, be reconsidered. Lost.

House File No. 157, "A bill for an Act permitting real estate to be sold at tax sales for less than the taxes, interests and costs due thereon in certain cases," was taken up. Read a 1st and 2d time, and on motion, it was read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Bell, Buckham, Baylies, Burke, Campbell, Cort, Clark, Day, Davis, Dorr, Fry, Fuller, Finkbine, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McNutt, McCormack, Oliver, O'Brien, Parker, Pritchard, Runyon, Sanderson, Sears, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—56.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Carbee, Close, Elliott, Fenn, Garrett, Green, Horton, Latham, McCall, Paulk, Perry, Russell of Washington, and Stiles—15.

Absent or not voting, Messrs. Bereman, Brown, Christoph, Darby, Galland, Glendenning, Gose, Gilchrist, Hale, Hurst, King, Knox,

Lathrop, Lindley, Mills, McKnight, Nelson, Potter, Russell of Jones, Richards, and Sweet.

The bill passed and the title was agreed to.

Mr. Bell moved that the vote by which House File No. 141, "A bill for an Act providing for the taxation of the property of Railroads," was passed, be reconsidered.

Mr. Littler moved to lay the motion to reconsider on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Buckham, Carey, Campbell, Cort, Clark, Day, Davis, Dorr, Fry, Finkbine, Garrett, Gose, Hale, Horton, Hurst, Holdridge, Littler, Lindley, Lindsey, Lyons, Maxwell, Meissner, Mills, Munsell, McNutt, McCormack, McKnight, Pritchard, Potter, Russell of Jones, Russell of Washington, Stiles, Stanton Spurrier, Van Sandt and Wolf—39.

The nays were Messrs. Bromley, Bell, Baylies, Burke, Carbee, Close, Elliott, Fenn, Fuller, Glendenning, Green, Hildreth, Hixson, Helm, Jeffries, Joy, Johnson, Latham, Logan, Merriam, Magill, Moir, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Smith, Skiles, Thompson, Vinton, Weare, White and Mr. Speaker—43.

Absent or not voting, Messrs. Bereman, Brown, Christoph, Darby, Galland, Gilchrist, King, Knox, Lathrop and Sweet.

The motion did not prevail.

Mr. Magill being in the Chair, Mr. Butler moved that the vote by which the motion was lost, be reconsidered.

The Speaker decided the motion out of order.

Mr. Butler appealed from the decision of the Chair.

On the question "Shall the Chair be sustained?" it was decided in the affirmative.

Mr. Day moved the previous question, which was seconded.

On the question "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion of Mr. Bell, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bromley, Bell, Baylies, Burke, Carbee, Close, Elliott, Fenn, Galland, Glendenning, Hale, Hildreth, Hixson, Helm, Jeffries, Joy, Johnson, Latham, Logan, Merriam, Magill, Maxwell, Moir, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Potter, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Smith, Skiles, Thompson, Vinton, Weare and White.—44.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Buckham, Carey, Campbell, Cort, Christoph, Clark, Day, Davis, Dorr, Fry, Finkbine, Garrett, Green, Gose, Horton,



Hurst, Holdridge, Littler, Lindley, Lindsey, Lyons, Meissner, Mills, Munsell, McNutt, McCormack, McKnight, Pritchard, Russell of Jones, Russell of Washington, Stiles, Stanton, Spurrier, Van Sandt, Wolf and Mr. Speaker—39.

Absent or not voting Messrs. Bereman, Brown, Darby, Fuller, Gilchrist, King, Knox, Lathrop, and Sweet.

The motion prevailed.

On motion the House adjourned.

Two o'clock, P. M.

House met pursuant to adjournment.

The consideration of the subject under discussion at the hour of adjournment was resumed.

Mr. Moir moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Absent without leave, Messrs. Andrews of Keokuk, Andrews of Decatur, Bell, Burke, Cort, Fuller, Hale, Horton, Lathrop and Mills.

On motion, further proceedings under the call were dispensed with.

Mr. Finkbine moved that the Clerk be directed to request the Senate to return House File No. 141.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills:

Senate File No. 187, "A bill for an Act to direct the Adjutant General to make report January 1st, 1865, and to provide for publishing and distribution of the same."

Senate File No. 189, "A bill for an Act to legalize the acknowledgment of written instruments requiring records in certain cases."

Senate File No. 174, "A bill for an Act to restrain persons from carelessly driving or leading stock across bridges maintained at public cost."

Senate File No. 200, "A bill for an Act relating to the transcribing, indexing, and distribution of the Journals of the Senate and House of Representatives."

Senate File No. 88, "A bill for an Act to provide for establishing and vacating private roads."

And the following joint resolution:

*Be it Resolved, by the General Assembly of the State of Iowa,* That whenever, in the opinion of the Census Board, it shall be ne-

cessary to pay out any of the specie now or hereafter in the State Treasury, the State Treasurer shall dispose of the same at the then market value thereof in par currency, and report the proceeds thereof to the Auditor, who shall charge him with the premium received; and until such Board shall certify to such necessity, the Treasurer shall retain such specie in the Treasury.

And has adopted the House resolution endorsing the Administration of Abraham Lincoln, by striking out so much thereof as refers to his re-nomination and re-election.

In all of which the concurrence of the House is respectfully asked.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed:

House substitute for Senate File No. 70, "A bill for an Act entitled an act for the relief of certain citizens of Keokuk county, and to provide for the claim of John Lardner."

House File No. 145, "A bill for an Act to provide for the compilation of the Road Laws, and distribution of the same.."

House File No. 163, "A bill for an Act to provide for the payment of the claims of certain officers and soldiers of Iowa regiments."

And has indefinitely postponed House File No. 16, "A bill for an Act to regulate grist mills, and to define the duties of millers and mill owners."

And the House resolution relative to the property of rebel property owners.

The Senate has also adopted the following:

*Resolved by the General Assembly of the State of Iowa*, That a committee of three on the part of the Senate, and the same number on the part of the House, be appointed to examine all bills pending in either branch of the General Assembly, and report to each House on Monday morning, or sooner, such bills as, in their judgment should be first considered and acted upon, to subserve the best interests of the State.

And the accompanying joint resolution for the relief of S. H. Taft.

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

The question recurring on the motion to reconsider the vote by which the bill was ordered to a third reading, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bromley, Baylies, Burke, Carbee, Close, Day, Darby, Elliott, Fenn, Glendenning, Hildreth, Hixson, Helm, Joy, Johnson, Latham, Logan, Merriam, Magill, Maxwell, Mills, Moir, McMaken, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Richards, Runyon, Sanderson, Sears, Simpson, Sturgis, Smith, Skiles, Thompson, Vinton, Weare and White

The nays were Messrs. Bruce, Buckham, Carey, Campbell, Christoph, Clark, Davis, Dorr, Fry, Fuller, Finkbine, Garrett, Green, Gose, Horton, Hurst, Holdridge, Jeffries, Lindley, Lyons, Meissner, Munsell, McNutt, McKnight, Pritchard, Potter, Russell of Jones, Russell of Washington, Stiles, Stanton, Spurrier, Van Sandt, Wolf and Mr. Speaker—34.

Absent or not voting, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bell, Brown, Cort, Galland, Gilchrist, Hale, King, Knox, Lathrop, Littler, Lindsey and Sweet.

The motion prevailed.

#### MESSAGES AND COMMUNICATIONS.

The joint resolution relating to paying out the specie in the hands of the State Treasurer, was taken up and concurred in.

The Senate amendment to the joint resolution endorsing the Administration of Abraham Lincoln, and recommending his re-nomination for President, was taken up.

Mr. Oliver moved that the amendment be concurred in.

Mr. Latham moved the previous question, which was seconded.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed House Substitute for Senate File No. 60, "A bill for an Act to amend Chap. 172 of the acts of the 9th General Assembly, passed April 8th, 1862, entitled An Act to amend and consolidate an act passed by the Board of Education, December 24th, 1859, entitled An Act to provide a system of Common Schools, and the amendments thereto," with amendments, in which the concurrence of the House is asked.

The Senate has appointed Senators McCrary of Lee, Hurley and Cutts, as the committee on the part of the Senate, to classify the business of the two Houses, and in accordance with the request of the House, herewith returns House File No. 141, "A bill for an Act to amend Sec. 16, Chap. 173 of the laws of the 9th General Assembly.

WM. F. DAVIS, Secretary of Senate.

On the question "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion to concur, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Campbell, Darby, Fuller, Lyons, Merriam, McCormack, McKnight, Oliver, Paulk, Russell of Jones, Richards, Spurrier and Vinton—18.

The nays were Messrs. Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Carey, Carbee, Christoph, Close, Clark, Day, Davis, Dorr, Elliott, Fenn, Fry, Finkbine, Garrett, Glendenning, Green, Gose, Hildreth, Hixson, Helm, Hurst, Holdridge, Jeffries,

Joy, Johnson, Latham, Logan, Littler, Lindley, Lindsey, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McNutt, McCall, Nelson, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Washington, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Thompson, Van Sandt, Weare, Wolf, White and Mr. Speaker—64.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Bell, Burke, Brown, Cort, Galland, Gilchrist, Hale, Horton, King, Knox, Lathrop, Mills and Sweet.

The motion did not prevail.

The Senate resolution relating to appointing a committee to examine bills to be acted upon, was taken up.

Mr. Maxwell moved to lay the resolution on the table. Lost.

Mr. Maxwell moved that the resolution be indefinitely postponed. Carried.

Senate File No. 189, "A bill for an Act to legalize the acknowledgement of written instruments, requiring record in certain cases," was taken up. Read 1st and 2d time and referred to committee on Judiciary.

Senate File No. 187, "A bill for an Act to direct the Adjutant General to make report Jan. 1st, 1865, and to provide for publishing and distributing the same," was taken up. Read a 1st and 2d time and referred to committee on Military Affairs.

Senate File No. 174, "A bill for an Act to restrain persons from carelessly driving or leading stock across bridges maintained at public cost," was taken up. Read a 1st and 2d time and referred to committee on Roads and Highways.

Senate File No. 200, "A bill for an Act relating to the transcribing, indexing and distributing the Journals of the Senate and House of Representatives," was taken up. Read a 1st and 2d time.

On motion of Mr. Finkbine, the rule was suspended, the bill read a 3d time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Carey, Campbell, Christoph, Clark, Day, Darby, Davis, Dorr, Elliott, Fry, Fuller, Finkbine, Garrett, Galland, Glendinning, Green, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Washington, Runyon, Sears, Sturgis, Stiles, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—61.

The nays were Messrs. Bell, Carbee, Close, Fenn, Gose, Hildreth, Moir, McCormack, Russell of Jones, Richards, Simpson, Smith, Skiles, Spurrier and Thompson—15.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman,

Burke, Brown, Cort, Gilchrist, Hale, King, Knox, Lathrop, Mills, McKnight, Sanderson, Stanton, Sweet and White.

The bill passed and the title was agreed to.

Senate File No. 88, "A bill for an act to provide for establishing and vacating private roads," was taken up. Read a first and second time, and referred to committee on Roads and Highways.

Senate joint resolution relating to relief of S. H. Taft, was taken up, and concurred in.

The consideration of House File No. 141, the railroad tax bill, was again resumed.

Mr. Oliver offered the following as a substitute section for Section 2:

Section 16, of Chapter 173 of the laws of the 9th General Assembly, is hereby amended by striking out all that part of said section between the words "execution," in the sixteenth line of said section, and the word "if," in the twenty-second line of said section, and the tax levied by virtue of said section, or of this act, shall be for State purposes only.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed House File No. 127, "A bill for an Act for the formation of the Twelfth Judicial District, &c.," without amendment.

WM. F. DAVIS, Secretary of Senate.

Mr. Russell, of Washington, moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion of Mr. Oliver, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Bromley, Bell, Burke, Carey, Campbell, Day, Darby, Dorr, Elliott, Fenn, Glendenning, Green, Gose, Hale, Hildreth, Hixson, Horton, Hurst, Joy, Johnson, Logan, Lindley, Magill, Moir, McCall, McCormack, McKnight, Nelson, Oliver, Paulk, Perry, Pritchard, Potter, Richards, Sturgis, Stanton, Smith, Vinton and White—39.

The nays were Messrs. Bruce, Buckham, Baylies, Carbee, Christoph, Close, Clark, Davis, Finkbine, Garrett, Galland, Helm, Holdridge, Jeffries, Latham, Littler, Lyons, Merriam, Maxwell, Meissner, McMaken, McNutt, O'Brien, Russell of Jones, Russell of Washington, Runyon, Sears, Simpson, Skiles, Spurrier, Thompson, Van Sandt, Weare, Wolf and Mr. Speaker—36.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Brown, Cort, Fry, Fuller, Gilchrist, King, Knox, Lathrop, Lindsey, Mills, Munsell, Parker, Sanderson, Stiles and Sweet.

The motion prevailed.

The question recurring on the motion to read the bill a 3d time, and put it upon its passage, it was decided in the affirmative.

Mr. Butler moved that the vote by which the bill was read a third time, be reconsidered.

Mr. Sears moved to lay the motion to reconsider on the table.

On which the yeas and nays were demanded and ordered, resulting as follows:-

The yeas were Messrs. Bell, Burke, Campbell, Carbee, Christoph, Davis, Glendenning, Gose, Hildreth, Hixson, Helm, Hurst, Jeffries, Joy, Johnson, Moir, McCall, Nelson, Oliver, O'Brien, Pritchard, Russell of Jones, Richards, Sanderson, Sears, Thompson, Vinton, Weare and White—29.

The nays were Messrs. Bruce, Bromley, Buckham, Baylies, Carey, Close, Clark, Day, Darby, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Green, Hale, Horton, Holdridge, Latham, Logan, Littler, Lindley, Lindsey, Merriam, Magill, Maxwell, Meissner, Munsell, McMaken, McNutt, McCormack, McKnight, Parker, Paulk, Perry, Potter, Russell of Washington, Runyon, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Van Sandt, Wolf and Mr. Speaker—50.

Absent or not voting, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Brown, Cort, Gilchrist, King, Knox, Lathrop, Lyons, Mills, Stiles and Sweet.

The motion did not prevail.

The question recurring on the motion of Mr. Butler, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Buckham, Baylies, Cort, Christoph, Close, Clark, Darby, Fry, Fuller, Finkbine, Hale, Horton, Latham, Littler, Lindsey, Lyons, Merriam, Maxwell, Meissner, Mills, Munsell, McNutt, McKnight, Perry, Pritchard, Potter, Russell of Washington, Simpson, Spurrier, Van Sandt, Wolf and Mr. Speaker—33.

The nays were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Burke, Carey, Campbell, Carbee, Day, Davis, Dorr, Elliott, Fenn, Garrett, Galland, Glendenning, Green, Gose, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, Logan, Lindley, Magill, Moir, McMaken, McCall, McCormack, Nelson, Oliver, O'Brien, Parker, Paulk, Richards, Runyon, Sanderson, Sears, Sturgis, Stanton, Smith, Skiles, Thompson, Vinton, Weare and White—49.

Absent or not voting, Messrs. Bereman, Brown, Gilchrist, Hurst, King, Knox, Lathrop, Russell of Jones, Stiles and Sweet.

The motion did not prevail.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Buckham, Carey, Campbell, Clark, Day, Davis, Dorr, Elliott, Fry, Finkbine, Garrett, Green, Gose, Hale, Horton, Hurst, Hold-

ridge, Jeffries, Littler, Lindley, Lindsey, Lyons, Maxwell, Meissner, Mills, Munsell, McNutt, McCormack, McKnight, Potter, Russell of Washington, Stanton, Smith, Spurrier, Van Sandt, Wolf and Mr. Speaker—39.

The nays were Messrs. Bruce, Bromley, Bell, Baylies, Burke, Carbee, Cort, Christoph, Close, Darby, Fenn, Fuller, Galland, Glendenning, Hildreth, Hixson, Helm, Joy, Johnson, Latham, Logan, Merriam, Magill, Moir, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Richards, Runyon, Sanderson, Sears, Simpson, Skiles, Thompson, Vinton, Weare and White—44.

Absent or not voting, Messrs. Bereman, Brown, Gilchrist, King, Knox, Lathrop, Sturgis, Stiles and Sweet.

The bill did not pass.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER** :—I am directed to inform the House that the Senate has passed House Substitute for Senate File No. 54, "A bill for an Act to locate the Executive Office and provide for official records, and to fix the Governor's salary," with the accompanying amendment.

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

Senate File No. 100, "A bill for an Act to amend Sec. 1, Chap. 154, of the acts of the 9th General Assembly," was taken up.

Mr. Oliver moved that the bill be read a 3d time and put upon its passage. Carried.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Christoph, Close, Clark, Day, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Galland, Gose, Hildreth, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Latham, Lathrop, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McCormack, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Runyon, Sanderson, Sears, Simpson, Sturgis, Stiles, Stanton, Smith, Spurrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—74.

The nays were Messrs. Fry and Richards—2.

Absent or not voting, Messrs. Bereman, Burke, Brown, Cort, Darby, Glendenning, Green, Gilchrist, Hale, Hurst, King, Knox, Russell of Washington, Skiles, Sweet and Weare.

The bill passed and the title was agreed to.

Substitute for Senate File No. 54, "A bill for an Act to locate the

Executive Office and provide for official records," with Senate amendments, was taken up, and the amendments concurred in.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Burke, Carey, Carbee, Cort, Clark, Davis, Dorr, Fenn, Finkbine, Galland, Green, Gose, Hale, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Potter, Russell of Washington, Richards, Runyon, Sanderson, Sears, Simpson, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Weare, Wolf and Mr. Speaker—61.

The nays were Messrs. Campbell, Day, Elliott, Fuller, Garrett, Hildreth, Latham, Littler, Munsell, Russell of Jones, Vinton and White—12.

Absent or not voting, Messrs. Bereman, Bell, Brown, Christoph, Close, Darby, Fry, Glendenning, Gilchrist, Hurst, King, Knox, Lathrop, McCormack, McKnight, Pritchard, Sturgis, Stiles and Sweet.

The bill passed and the title was agreed to.

Senate File No. 225, "A bill for an Act requiring clerks of District Courts to certify to applications for pensions, and other purposes, and regulating fees for the same," was taken up, and, on motion, was read a third time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Davis, Dorr, Fuller, Garrett, Galland, Green, Gose, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Latham, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, McMaken, McNutt, McCall, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sears, Simpson, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—67.

The nays were Messrs. Elliott, Fenn, Littler, Lindley and Weare—5.

Absent or not voting, Messrs. Bereman, Brown, Christoph, Darby, Fry, Finkbine, Glendenning, Gilchrist, King, Knox, Lathrop, Moir, McCormack, McKnight, O'Brien, Sanderson, Sturgis, Stiles, Sweet and White.

The bill passed and the title was agreed to.

House File No. 143, "A bill for an Act to amend Chapter 45, of the Revision of 1860, in relation to revenue, was taken up.

Mr. Paulk moved to amend as follows:

In Sec. 2 strike out "50 cents" and insert "20 cents." Carried.



Mr. Johnson moved to indefinitely postpone the bill.

Mr. Burke moved to amend as follows: After the word "estate," in the ninth line of Sec. 1, insert the words, "not owned by the person who wishes to pay the tax." Lost.

Mr. Burke offered the following amendment:

In the twelfth line of the first section, strike out the word "and," and after the word "interest," in the thirteenth line of Sec. 1, insert the words, "and costs." Carried.

The question recurring on the motion to indefinitely postpone, it was decided in the negative.

Mr. Oliver moved to amend as follows:

*And provided further*, That the party desiring to pay or redeem such real estate, shall show in manner aforesaid that at the time said real estate was assessed for taxation, he was not the owner of any portion of the same, except that on which he desires to pay, or which he desires to redeem. Lost.

Mr. Andrews, of Keokuk, moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion to read the bill a third time and put it on its passage, it was decided in the affirmative.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Baylies, Bromley, Carey, Campbell, Cort, Dorr, Fry, Fuller, Finckbine, Galland, Green, Gose, Hale, Hildreth, Horton, Jeffries, Littler, Merriam, Magill, Maxwell, Meissner, McCormack, Paulk, Pritchard, Richards, Sanderson, Sears, Stiles, Spurrier, Van Sandt, Vinton and Weare—32.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Burke, Close, Clark, Day, Davis, Elliott, Fenn, Garrett, Glendinning, Hixson, Holdridge, Joy, Johnson, Latham, Logan, Lindsey, Lyons, Mills, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, Parker, Perry, Potter, Russell of Jones, Russell of Washington, Runyon, Simpson, Sturgis, Stanton, Smith, Skiles, Thompson, Wolf, White and Mr. Speaker—45.

Absent or not voting, Messrs. Bereman, Brown, Carbee, Christoph, Darby, Gilchrist, Helm, Hurst, King, Knox, Lathrop, Lindley, McKnight, O'Brien, and Sweet.

The bill did not pass.

Mr. Baylies moved that when the House adjourn it be until 7½ o'clock this evening. Carried.

Mr. Weare moved to adjourn. Lost.

Mr. Horton made the following report:

MR. SPEAKER:—The Committee on Enrolled Bills beg leave to report that they have examined Senate Files No. 163, and Joint Resolution giving to Clergymen who officiate as Chaplains of the

Senate and House, the first volume of the Legislative Documents of this session," find them correctly enrolled, and present the same for your signature.

And have presented House File No. 11 to the Governor.

HORTON, Chairman.

Mr. Paulk moved that the vote by which the House agreed to meet at 7½ o'clock this evening, be reconsidered.

Mr. Russell of Washington moved to adjourn. Lost.

The question recurring on the motion to reconsider, it was decided in the affirmative.

Mr. Russell of Washington, moved to adjourn. Lost.

The question recurring on the motion of Mr. Baylies, Mr. Hildreth moved to amend by striking out 7½ o'clock this evening and inserting 8 o'clock to-morrow morning. Carried.

The motion of Mr. Baylies, as amended, prevailed.

House File No. 43, "A bill for an Act making County Judges Recorders in certain cases, and providing for the election of Recorders in certain other cases, and for other purposes," was taken up.

Mr. Moir moved that Senate File No. 210, "A bill for an Act relating to the office of County Recorder and Treasurer, and providing for their separation," be substituted for the bill.

Mr. Maxwell moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Absent without leave, Messrs. Buckham, Christoph, Hale, Lathrop, Lindley and McKnight.

Mr. Andrews of Keokuk moved that further proceedings under the call be dispensed with. Carried.

Mr. Galland moved to adjourn. Lost.

Mr. Hildreth moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The substitute bill was then adopted.

Mr. Nelson moved to amend as follows:

Sec. 4. The recording shall all be done in the office of the Recorder; and all books, papers and documents pertaining to and belonging in said office shall be kept therein; and any Recorder who shall take, deliver or allow any record belonging in his office to be taken away and kept at any other place than his office, except when required to be used as evidence in Court, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than \$100 nor more than \$1,000, and shall be liable to all losses sustained by any party by reason thereof.

Mr. Oliver moved to amend Sec. 2 as follows: Strike out "1865," in Sec. 2, and insert "1866;" and strike out "1864," in Sec. 3, and insert "1865."

Mr. Finkbine moved to adjourn. Lost.

The question recurring on the motion of Mr. Oliver, it was decided in the affirmative.

The question recurring on the motion of Mr. Nelson, it prevailed.

Mr. Merriam moved to amend as follows: "*Provided*, That in counties having two county seats, the amount received by the Treasurer shall not exceed \$2,000." Carried.

On motion the bill was read a third time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Campbell, Cort, Day, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Galland, Glendenning, Green, Gose, Hale, Hildreth, Hixson, Helm, Horton, Holdridge, Jeffries, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McCormack, O'Brien, Parker, Paulk, Richards, Runyon, Sears, Simpson, Sturgis, Stiles, Stanton, Van Sandt, Vinton, Wolf and White—52.

The nays were Messrs. Andrews of Keokuk, Burke, Carey, Close, Clark, Garrett, Hurst, Joy, Johnson, Latham, Littler, Mills, McNutt, McCall, Oliver, Potter, Russell of Washington, Sanderson, Smith, Skiles, Spurrier, Thompson and Mr. Speaker—23.

Absent or not voting, Messrs. Bereman, Brown, Carbee, Christoph, Darby, Gilchrist, King, Knox, Lathrop, Lindley, McKnight, Nelson, Perry, Pritchard, Russell of Jones, Sweet and Weara.

The bill passed and the title was agreed to.

Mr. Moir asked for leave of absence for Mr. McCormack. Granted.

Mr. Sears asked for leave of absence for himself for the remainder of the session. Granted.

On motion the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
SATURDAY, March 26th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Mr. Hixson.

Journal of yesterday read and approved.

#### PETITIONS.

Mr. Mills presented the petition of Thos. J. Moorman, asking pay for boarding soldiers. Referred to committee on Claims.

## REPORTS OF COMMITTEES.

The committee on County and Township Organization to whom was referred House File No. 151, "A bill for an Act fixing the salary of County Recorders," have instructed me to report it back to this House, and recommend that it do not pass.

O. NELSON, Chairman.

The report was adopted.

The committee on Schools and State University to whom was referred the petition of James Thorington and other citizens of Scott County, and the resolution offered by Mr. Thompson, representative of said county, asking that the School Law be so amended as to enable sub-districts to increase their amount of schooling in certain cases, respectfully report back the same with the remark, that a bill with this provision has already been reported by your Committee, and has passed the House. We therefore recommend that the further consideration of said petition and memorial be indefinitely postponed.

HILDRETH, Chairman.

The report was adopted.

The committee on Roads and Highways to whom was referred Senate File No. 88, "A bill for an Act providing for establishing and vacating private roads," have had the same under consideration and have instructed me to report the bill back, and recommend its indefinite postponement.

DORR, Chairman.

The report was adopted.

MR. SPEAKER:—The committee on Printing to whom was referred Senate File No. 208, "A bill for an Act to provide for publishing general laws in certain German newspapers," have had the same under consideration, and the majority consisting of Messrs. Hildreth, Fenn, Van Sandt and Clark, have instructed me to report the same back, with a substitute, and ask the adoption of the substitute.

LOGAN, for Committee.

Your committee to whom was referred Senate File No. 208, "A bill for an Act to publish general laws in certain German newspapers," have had the same under consideration, and the undersigned minority of said committee, report back said bill without amendment, and recommend its passage.

SAMUEL McNUTT, of Com. on Printing.

## REPORTS OF SELECT COMMITTEES.

The Select Committee from Cities having special charter, to whom was referred House File No. 174, "A bill for an Act to amend Sec.

1079 of Chap. 51 of the Revision of 1860." report the same back to the House, and recommend that the same be passed.

MERRIAM, for Committee.

Mr. Close, by leave, called up House File No. 114, "A bill for an Act for making further appropriations for the selection and platting of the Agricultural College lands," and moved its reference to committee on Claims. Lost.

#### RESOLUTIONS.

Mr. Hildreth offered the following resolution:

WHEREAS, The members of this General Assembly have been furnished with a very inferior quality of pens, and whereas, it has been customary to furnish members with *good* gold pens and penknives, *Therefore be it resolved*, that the Secretary of State be and he is hereby authorized and requested to furnish each member of this House with a *good* gold pen and a good penknife.

Mr. Pritchard moved to lay the resolution on the table, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bruce, Bromley, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Darby, Davis, Dorr, Fry, Finkbine, Garrett, Glendenning, Gose, Hale, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Lathrop, Logan, Littler, Lindley, Lindsey, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Richards, Runyon, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—65.

The nays were Messrs. Christoph, Hildreth, Hurst, Lyons, Parker and Weare—6.

Absent or not voting, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Bell, Brown, Elliott, Fenn, Fuller, Galland, Green, Gilchrist, King, Knox, Latham, McCormack, Russell of Jones, Russell of Washington, Sanderson, Sears, Stiles and Sweet.

The motion prevailed.

Mr. Dorr, by leave, submitted the following report:

The committee on Roads and Highways, to whom was referred Senate File No. 174, "A bill for an Act to restrain persons from carelessly driving or leading stock across bridges maintained at public charge," have had the same under consideration, and recommend its passage, with the following amendment:

In second section, strike out the words, "in the following words, to wit," and insert the words, "setting forth the."

DORR, Chairman.

Mr. Finkbine asked for leave of absence for Mr. Runyon. Granted.

Mr. Horton submitted the following report :

MR. SPEAKER:—The committee on Enrolled Bills beg leave to report that they have examined Senate File No. 70, House Files Nos. 145 and 163, find them correctly enrolled, and present the same for your signature.

HORTON.

Mr. Hixson offered the following resolution :

WHEREAS, There has been for a long series of years, a growing conviction of the importance and necessity of making the President of the United States eligible for one term only ; and

WHEREAS, Believing such a change of the Constitution would go far, very far, to restrain the incumbent in office, and his political associates and friends from descending to the arena of the politician, and to the management and the incidental corruptions of the political heart of the people of the United States, growing out of the present conceded right to eligibility for a second term ; and

WHEREAS, Large bodies of our fellow-citizens, and conventions recently assembled, have commended this subject to the consideration of Congress ; therefore be it

*Be it Resolved by the General Assembly of the State of Iowa,* That our Senators be instructed, and our Representatives in Congress be requested, to give their influence and support to the proposition to so amend the Constitution of the United States that it shall secure the objects sought by the foregoing preamble and resolutions.

2d. *Resolved,* That the Secretary of State be required to forward the aforesaid preamble and resolution to our Senators and Representatives in Congress immediately.

Mr. Hildreth moved to lay the resolution on the table. Carried.

Mr. Thompson offered the following resolution :

*Be it resolved by the House of Representatives,* That the committee on Ways and Means be, and are hereby instructed to draw up and present a bill to this House, repealing all laws requiring the Secretary of State to furnish so-called gold pens to the members of the General Assembly.

Mr. Maxwell moved to indefinitely postpone. Carried.

Mr. Merriam, by leave, called up Senate File No. 236, "A bill for an Act supplemental to Chap. 99, of the laws of the 7th General Assembly, approved March 28, 1858, and relating to the Des Moines River Grant, and for the payment of certain audited claims, and releasing to the United States certain occupied lands included in said Grant," and moved that it be made the special order for 2 o'clock this afternoon. Carried.

#### MESSAGES AND COMMUNICATIONS.

Substitute for Senate File No. 60, "A bill for an Act to amend Chap. 172, of the acts of the 9th General Assembly of the State of

Iowa, entitled an act to amend and consolidate an act passed by the Board of Education, Dec. 24, 1859, entitled an act to amend an act entitled an act to provide a system of Common Schools, and the amendments thereto," with Senate amendments, was taken up.

On motion, the amendments were concurred in.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Close, Darby, Davis, Dorr, Elliott, Fry, Finkbine, Glendenning, Green, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge, Joy, Latham, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McNutt, Oliver, O'Brien, Paulk, Pritchard, Simpson, Sturgis, Stanton, Smith, Skiles, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—54.

The nays were Messrs. Clark, Day, Fuller, Garrett, Jeffries, Johnson, Littler, Lindley, Munsell, McMaken, McKnight, Potter and Spurrier—13.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Burke, Brown, Fenn, Galland, Gose, Gilchrist, Horton, King, Knox, Lathrop, McCall, McCormack, Nelson, Parker, Perry, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Sears, Stiles and Sweet.

The bill passed and the title was agreed to.

House File No. 77, "A bill for an Act to prohibit certain stock from running at large," was taken up, with substitute bill.

On motion, the substitute bill was adopted.

Mr. Merriam moved to indefinitely postpone the whole matter.

Mr. Nelson moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion to indefinitely postpone, the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Buckham, Burke, Carey, Campbell, Carbee, Christoph, Clark, Day, Darby, Davis, Fry, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Hildreth, Hixson, Horton, Hurst, Joy, Latham, Lyons, Merriam, Magill, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, Parker, Paulk, Pritchard, Potter, Stiles, Spurrier, Vinton, Weare, and Mr. Speaker—47.

The nays were Messrs. Bell, Baylies, Cort, Dorr, Elliott, Fenn, Helm, Holdridge, Jeffries, Johnson, Logan, Littler, Lindley, Lindsey, Maxwell, O'Brien, Perry, Richards, Simpson, Sturgis, Stanton, Smith, Skiles, Thompson, Wolf and White—26.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Brown, Close, Galland, Gilchrist, Hale, King, Knox, Lathrop, Mc-

Cormack, McKnight, Russell of Jones, Russell of Washington, Runyon, Sanderson, Sears, Sweet and Van Sandt.

The motion prevailed.

Substitute for Senate File No. 21, "A bill for an Act to provide for taking depositions to be used in County Courts," was taken up.

On motion, the bill was read a 3d time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Carey, Carbee, Christoph, Close, Darby, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Latham, Littler, Lindsey, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McKnight, Oliver, O'Brien, Paulk, Pritchard, Potter, Richards, Simpson, Sturgis, Stiles, Stanton, Smith, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—61.

The nays were Messrs. Cort, Clark, Day, Hildreth, Logan, Lyons, McCall, and Perry—8.

Absent or not voting, Messrs. Bereman, Bell, Burke, Brown, Campbell, Galland, Gilchrist, Hale, Hurst, King, Knox, Lathrop, Lindley, McCormack, Nelson, Parker, Russell of Jones, Russell of Washington, Runyon, Sanderson, Sears, Skiles and Sweet.

The bill passed and the title was agreed to.

Senate File No. 233, "A bill for an Act to provide for correcting the account of the State with Grundy County," was taken up.

Mr. Oliver moved to amend the bill.

The Speaker decided the motion out of order.

Mr. Oliver appealed from the decision of the Chair.

The appeal was not sustained.

Mr. Moir moved that the bill be read a 3d time and put upon its passage.

Mr. Moir moved a call of the House, which was seconded.

The clerk proceeded to call the roll.

Mr. Day moved that further proceedings under the call be dispensed with. Carried.

Mr. Oliver moved to recommit the whole matter to committee. Lost.

Mr. Close moved to amend as follows:

"That the Auditor of State shall bring forward and credit Grundy County, any excess there may be of State tax paid by said county, for the year 1856." Lost.

The question recurring on the motion of Mr. Moir, it was decided in the affirmative.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bromley, Bell,



Baylies, Burke, Carey, Darby, Dorr, Fenn, Finkbine, Glendenning, Green, Hixson, Helm, Hurst, Jeffries, Joy, Johnson, Logan, Lindsey, Merriam, Maxwell, Mills, Moir, McCall, McKnight, Oliver, Perry, Pritchard, Potter, Russell of Jones, Richards, Sanderson, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Weare and Mr. Speaker—42.

The nays were Messrs. Andrews of Decatur, Bruce, Buckham, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Davis, Elliott, Fuller, Hale, Holdridge, Latham, Littler, Lyons, Meissner, Munsell, McMaken, McNutt, Nelson, O'Brien, Parker, Paulk, Sturgis, Vinton, Wolf and White—30.

Absent or not voting, Messrs. Bereman, Brown, Fry, Garrett, Galland, Gose, Gilchrist, Hildreth, Horton, King, Knox, Lathrop, Lindley, Magill, McCormack, Russell of Washington, Runyon, Sears, Sweet and Van Sandt.

The bill did not pass.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has passed Senate File No. 241, "A bill for an Act to amend and explain an act passed by the 10th General Assembly entitled an act to define the times of holding Courts in the 3d Judicial District," approved January 25th, 1864, and the accompanying Joint Resolution, explanatory of Chap. 9 of the 10th General Assembly, being an act to change the rate of interest upon warrants upon the State Treasurer.

In which the concurrence of the House is respectfully asked.

The Senate has also concurred in the House amendments to Senate File No. 142, "A bill for an act to facilitate the construction and operation of Railroads in the State of Iowa."

Has passed House File No. 176, "A bill for an Act relating to the Report of the Adjutant General for 1866," without amendment.

And has passed House File No. 169, "A bill for an Act directing the distribution of the Adjutant General's and Supreme Court Reports, and making an appropriation to defray the expense of such distribution, with the accompanying amendment.

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

**Mr. Finkbine**, by leave, submitted the following report:

The select committee, to whom was referred House File No. 87, "A bill for an Act to provide for the collection of money due the permanent school fund of the State," have had the same under consideration, and instructed me to report the same back with the accompanying amendments, and recommend its passage as thus amended.

**FINKBINE**, Chairman.

House File No. 87, "A bill for an Act to provide for the collection of money due the permanent school fund of the State of Iowa," was taken up, with the amendments of the committee.

The amendments were adopted.

Mr. Moir moved that the bill be read a third time and put upon its passage. Carried.

M. Baylies moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Mr. Maxwell moved that further proceedings under the call be dispensed with. Lost.

The absentees were Messrs. Darby, Galland, Hildreth, Potter, Russell of Washington.

Mr. Close moved to adjourn. Lost.

Mr. Moir moved that further proceedings under the call be dispensed with. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Cort, Christoph, Close, Clark, Davis, Elliott, Fenn, Fry, Finkbine, Glendenning, Gose, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Latham, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, McMaken, McNutt, McCall, O'Brien, P'aulk, Perry, Pritchard, Richards, Runyon, Sanderson, Simpson, Stiles, Stanton, Smith, Skiles, Spurrer, Thompson, Weare, and Mr. Speaker—58.

The nays were Messrs. Burke, Carbee, Day, Dorr, Fuller, Garrett, Green, Littler, Moir, McKnight, Nelson, Oliver, Parker, Russell of Jones, Sturgis, Vinton, Wolf and White—18.

Absent or not voting, Messrs. Bereman, Brown, Darby, Galland, Gilchrist, Hildreth, King, Knox, Lathrop, McCormack, Potter, Russell of Washington, Sears, Sweet and Van Sandt.

The bill passed and the title was agreed to.

Mr. Hale, by leave, called up Senate File No. 241, "A bill for an Act to amend and explain an act passed by the 10th General Assembly, entitled an act to define the times of holding courts in the 3d Judicial District, approved Jan. 25th, 1864." Read a first and second time.

Mr. Hale moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bell, Buckham, Baylies, Burke, Carbee, Cort, Clark, Day, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Glendenning, Green, Gose, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell,

Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Thompson, Vinton, Weare and Mr. Speaker—63.

The nays were Messrs. Andrews of Keokuk, Campbell, Garrett and Mills—4.

Absent or not voting Messrs. Andrews of Decatur, Bereman, Bromley, Brown, Carey, Christoph, Close, Darby, Galland, Gilchrist, Hildreth, King, Knox, Latham, Lathrop, McCormack, O'Brien, Parker, Russell of Washington, Sears, Stiles, Sweet, Van Sandt, Wolf and White.

The bill passed, and the title was agreed to.

Mr. Merriam called up Senate Joint Resolution, explanatory of Chap. 9 of the laws of the 10th General Assembly, being an act to change the rate of interest upon warrants upon the State Treasury.

Which was concurred in.

Senate File No. 143, "A bill for an Act further defining the powers and duties of the Register of the State Land office, and providing for a seal, was taken up.

Mr. Russell of Jones, moved that the bill be read a 3d time and put upon its passage.

Mr. Magill moved to indefinitely postpone the bill.

Mr. Oliver moved to amend by striking out all after Sec. 2.

Mr. Russell of Jones, moved to recommit the bill to a select committee of three. Carried.

The Speaker appointed as said committee, Messrs. Paulk, Magill and Russell of Jones.

Mr. Latham, by leave, called up Senate File No. 236, "A bill for an act for the relief of the families of soldiers and marines in the service of the United States," with amendments offered by committee.

On motion, the amendments were adopted.

Mr. Moir moved that the bill be read a 3d time and put upon its passage.

Mr. Maxwell offered the following as a new section.

Sec. 9. *Provided*, That no tax shall be levied or collected in any county where the Board of Supervisors of said county, have levied a tax for the relief and benefit of soldiers or their wives and children, for the year 1864, equal in amount to the tax proposed to be levied by operation of this law. Lost.

The question recurring on the motion of Mr. Moir, it was decided in the affirmative.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Backham, Bayles, Burke, Carey, Campbell, Carbee, Christoph, Close, Clark, Day, Davis, Dorr, El-

liott, Fenn, Fry, Finkbine, Garrett, Glendenning, Green, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Latham, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Thompson, Vinton, Weare, Wolf, White and Mr. Speaker—73.

The nays were Mr. Cort—1.

Absent or not voting, Messrs. Bereman, Brown, Darby, Fuller, Galland, Gose, Gilchrist, King, Knox, Lathrop, Lindley, McCormack, Parker, Russell of Washington, Sears, Stiles, Sweet and Van Sandt.

The bill passed and the title was agreed to.

House File No. 171, "A bill for an Act to ascertain the citizens entitled to the right of suffrage in cities and incorporated towns, and to prevent fraudulent voting therein," was taken up.

Mr. O'Brien moved to indefinitely postpone the bill. Lost.

Mr. Sturgis moved to lay the bill on the table. Carried.

House File No. 166, "A bill for an Act in relation to the meetings and business of the County Board of Supervisors and State Board of Equalization," was taken up.

On motion, the bill was laid on the table.

Senate File No. 111, "A bill for an Act to amend Sec. 777 of the Revision of 1860," was taken up.

Mr. Wolf moved that the bill be read a 3d time and put on its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Glendenning, Gose, Hale, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Latham, Logan, Littler, Lindley, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McKnight, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Simpson, Smith, Skiles, Spurrier, Thompson, Vinton, Weare, Wolf and Mr. Speaker—66.

The nays were Messrs. Andrews of Decatur, Davis, Lyons, McNutt, Sturgis and Stanton—6.

Absent or not voting, Messrs. Bereman, Brown, Darby, Galland, Green, Gilchrist, Hildreth, King, Knox, Lathrop, Lindsey, McCall, McCormack, Parker, Russell of Washington, Sears, Stiles, Sweet, Van Sandt and White.

The bill passed and the title was agreed to.

Mr. Andrews of Keokuk, by leave, submitted the following report:

The committee on Military Affairs to whom was referred Senate File No. 187, "A bill for an Act to direct the Adjutant General to make report Jan. 1st, 1865, and to provide for publishing and distributing the same," have had the same under consideration, and instruct me to report the same back and recommend its passage.

J. ANDREWS, Chairman.

On motion, the House adjourned.

TWO O'CLOCK, P. M.

House met pursuant to adjournment.

Mr. Magill moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Those gentlemen absent without leave were Messrs. Bromley, Bell, Fuller, Hale, Latham, Lathrop, Russell of Jones, Stiles, Weare and White.

Mr. Moir moved that further proceedings under the call be dispensed with. Carried.

Substitute for Senate Files Nos. 176 and 197, "A bill for an Act supplementary to Chap. 99, of the laws of the 7th General Assembly, approved March 22d, 1858, relating to the Des Moines River Land Grant, and for the payment of certain auditing claims," which was the special order, was taken up, with the amendments recommended by committee.

On motion, the amendments were adopted.

Mr. Magill offered the following as a substitute for Sec. 10 :

Sec. 10. The bond provisions of Sec. 9 of this act, shall be construed to apply only to those claims which have been allowed by the commissioners appointed under the provisions of Chap. 16 of the acts of the 8th General Assembly, or claims for the payment of which it may be held by the Supreme Court of this State, the State of Iowa is now liable.

On motion to adopt the amendment offered by Mr. Magill, the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Bromley, Baylies, Campbell, Clark, Dorr, Elliott, Fenn, Fuller, Finkbine, Galland, Green, Hildreth, Hixson, Helm, Holdridge, Logan, Lindsey, Merriam, Magill, Meissner, Munsell, Moir, McMaken, Nelson, O'Brien, Parker, Paulk, Pritchard, Russell of Jones, Richards, Runyon, Simpson, Sturgis, Vinton, Weare, Wolf and Mr. Speaker—37.

The nays were Messrs. Andrews of Decatur, Bruce, Bell, Buckham, Burke, Carey, Cort, Christoph, Close,

Day, Davis, Fry, Glendenning, Hale, Horton, Jeffries, Joy, Johnson, Latham, Littler, Lindley, Lyons, Maxwell, Mills, McNutt, McCall, McKnight, Oliver, Perry, Potter, Russell of Washington, Sanderson, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt and White—41.

Absent or not voting, Messrs. Bereman, Brown, Carbee, Darby, Garrett, Gose, Gilchrist, Hurst, King, Knox, Lathrop, McCormack, Sears and Sweet.

The motion did not prevail.

Mr. Vinton, from committee on Engrossed Bills, made the following report :

**MR. SPEAKER** :—Your Committee on Engrossed Bills, to whom was referred House File No. 87, "A bill for an Act to provide for the collection of money due the permanent school fund of the State of Iowa," &c., &c., beg leave to report that they have examined said bill, after engrossment, and believe it to have been correctly engrossed.

VINTON, for Committee.

Mr. Oliver moved to amend as follows :

Add to Sec. 5, "And nothing in this act shall be construed to confer on the Keokuk, Fort Des Moines & Minnesota Railroad Company any right to any of the indemnity lands granted to this State in lieu of lands excepted in the act granting lands to said Company, being Chap. 99, of the laws of the 7th General Assembly. Lost.

On motion the bill was read a third time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows :

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Davis, Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Hale, Hildreth, Hixson, Helm, Horton, Hurst, Holdridge, Jeffries, Joy, Johnson, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Merriam, Magill, Meissner, Mills, Munsell, Moir, McNutt, McCall, McKnight, Oliver, Paulk, Perry, Pritchard, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Simpson, Stiles, Stanton, Smith, Weare, Wolf, White and Mr. Speaker—66.

The nays were Messrs. Bell, Gose, Maxwell, McMaken, Nelson, OBrien, Parker, Potter, Skiles, Spurrier, Thompson and Vinton—12.

Absent or not voting, Messrs. Bereman, Burke, Brown, Darby, Green, Gilchrist, King, Knox, Lathrop, McCormack, Sears, Sturgis, Sweet and Van Sandt.

The bill passed and the title was agreed to.

Mr. Paulk made the following report :

The select committee, to whom was referred Senate File No. 143, "A bill for an Act further defining the powers and duties of the Register of the State Land Office, and providing for a Seal," beg leave to report that they have had the same under consideration, and recommend the following amendments:

In Sec. 1, strike out "attendance," and insert "supervision."

Strike out Sections 3 and 4 in the bill, and insert Sections 3 and 4 recommended by the Committee.

Strike out of Sec. 6 the words, "10 of Chapter 153, of the Acts of the 5th General Assembly, passed Jan. 25, 1855," and insert, "101 of the Revision of 1860,"

With these amendments, the committee recommend the passage of the bill.

C. PAULK, Chairman.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills:

Senate File No. 198, "A bill to authorize the construction of railroad bridges across the Mississippi and Missouri rivers."

Senate File No. 232, "A bill for an Act to prevent disturbance and drunkenness on all election days held by the people of the State of Iowa.

In which the concurrence of the House is respectfully asked.

The Senate has also passed House File No. 147, "A bill for an Act to amend Section 2, of Chapter 15, of the acts of the regular session of the 9th General Assembly," without amendment.

WM. F. DAVIS, Secretary of Senate.

Senate File No. 143, "A bill for an Act further defining the powers and duties of the Register of the State Land Office, and providing for a seal," was taken up, with the amendments recommended by the committee.

The amendments were adopted.

On motion, the bill was read a third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Davis, Dorr, Fry, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Hurst, Holdridge, Jeffries, Joy, Latham, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, McKnight, Neison, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Sanderson, Simpson, Sturgis

Stiles, Stanton, Smith, Spurrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—65.

The nays were Mr. Littler—1.

Absent or not voting, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Burke, Brown, Darby, Elliott, Fenn, Galland, Gilchrist, Hale, Hildreth, Hixson, Helm, Horton, Johnson, King, Knox, Lathrop, Munsell, McCormack, O'Brien, Sears, Skiles, Sweet and Weare.

The bill passed and the title was agreed to.

Senate File No. 206, "A bill for an Act to authorize the Treasurer of the State University, to loan the permanent fund of the said University at an interest not less than 8 per cent. per annum," was taken up.

Mr. Finkbine moved that the bill be indefinitely postponed. Carried.

Senate File No. 7, "A bill for an Act to change the time of holding county courts in April and August," was taken up.

Mr. Wolf moved that the bill be read a third time and put upon its passage.

Mr. Sturgis moved to lay on the table. Lost.

The question recurring on the motion of Mr. Wolf, it was carried.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Campbell, Carbee, Christoph, Close, Clark, Day, Dorr, Fry, Fuller, Finkbine, Garrett, Green, Gose, Helm, Hurst, Holdridge, Jeffries, Joy, Latham, Logan, Lindley, Lindsey, Lyons, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Runyon, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—60.

The nays were Messrs. Cort, Davis, Elliott, Horton, Littler, Magill, Sanderson, Weare and White—9.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Burke, Brown, Carey, Darby, Fenn, Galland, Glendenning, Gilchrist, Hale, Hildreth, Hixson, Johnson, King, Knox, Lathrop, Merriam, Munsell, McCormack, O'Brien, Sears and Sweet.

The bill passed and the title was agreed to.

House File No. 65, "A bill for an Act to authorize the establishment of Houses of Refuge," was taken up.

On motion the bill was laid on the table.

House File No. 103, "A bill for an Act to amend Art. 9 of Chap. 89 of the Revision of 1860," was taken up.

Mr. Paulk moved to lay on the table. Carried.

Senate File No. 105, "A bill for an Act to permanently locate



the Asylum for the Deaf and Dumb, and provide a building for the same," was taken up, with the amendments recommended by the committee.

Mr. Logan moved to amend as follows:

Strike out all after Sec. 1, relating to location of Asylum at City of Des Moines, and insert "Fort Dodge, Webster County."

Mr. Russell of Jones, moved to amend the amendment by striking out Fort Dodge, Webster County, and insert the words "Anamosa, Jones County."

Mr. Moir moved that the whole subject be postponed until the 4th of next July.

Mr. Hurst moved to lay the whole subject on the table.

On which question the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bruce, Carey, Campbell, Carbee, Cort, Close, Day, Fry, Fuller, Garrett, Hildreth, Hurst, Littler, Lyons, Magill, Meissner, Moir, McKnight, O'Brien, Parker, Potter, Russell of Jones, Simpson, Sturgis, Sparrier, Vinton, and Weare—27.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Christoph, Clark, Davis, Dorr, Elliott, Fenn, Finkbine, Galland, Glendenning, Green, Gose, Hale, Helm, Horton, Holdridge, Jeffries, Joy, Latham, Logan, Lindley, Lindsey, Maxwell, McMaken, McNutt, McCall, Nelson, Paulk, Perry, Pritchard, Richards, Runyon, Sanderson, Stiles, Smith, Skiles, Thompson, Van Sandt, Wolf and Mr. Speaker—45.

Absent or not voting, Messrs. Bereman, Burke, Brown, Darby, Gilchrist, Hixson, Johnson, King, Knox, Lathrop, Merriam, Mills, Munsell, McCormack, Oliver, Russell of Washington, Sears, Stanton, Sweet and White.

The motion was lost.

The question recurring on the motion of Mr. Moir, it was decided in the negative.

The question recurring on the motion of Mr. Russell of Jones, it was decided in the negative.

Mr. Finkbine offered a substitute for the whole bill, and moved its adoption.

On which question the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Carbee, Cort, Christoph, Close, Dorr, Fry, Fuller, Finkbine, Hildreth, Helm, Holdridge, Joy, Logan, Littler, Lyons, Magill, Maxwell, Meissner, Moir, McKnight, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Russell of Jones, Richards, Simpson, Sturgis, Stanton, Smith, Spurrier, Vinton, Weare and White—36.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Baylies, Carey, Campbell, Clark, Day, Davis, Fenn, Galland, Glendenning, Green, Hale, Horton, Hurst,

Jeffries, Johnson, Latham, Lindley, Lindsey, Munsell, McMaken, McNutt, McCall, Potter, Sanderson, Stiles, Skiles, Thompson, Van Sandt, Wolf and Mr. Speaker—34.

Absent or not voting, Messrs. Bereman, Bromley, Burke, Brown, Darby, Elliott, Garrett, Gose, Gilchrist, Hixson, King, Knox, Lathrop, Merriam, Mills, McCormack, Nelson, Russell of Washington, Runyon, Sears and Sweet.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has passed the following bill: House File No. 96, "A bill for an act apportioning the State of Iowa into Representative Districts.

House File No. 46, "A bill for an Act to provide for the loan of the permanent School Fund, and fixing the rate of interest thereon and limiting the price at which School lands may be sold, &c.," with amendments.

And Senate File No. 85, "A bill for an Act to provide for the compensation of printers, for publishing legal notices in certain cases," and has refused to concur in the House amendments to Senate File No. 210, "A bill for an Act relating to the officers of County Treasurer and Recorder, and providing for their compensation and adding an amendment to the same.

In which the concurrence of the House is respectfully asked.

And has concurred in the House amendment to Senate File No. 236, "A bill for an Act supplemental to Chap. 29 of the laws of the 7th General Assembly, approved March 22d, 1858, relating to the Des Moines River Land Grant, and for the payment of certain Audited Claims, &c., and to Senate File No. 236, "A bill for an Act for the relief of the families of soldiers and marines in the service of the United States.

WM. F. DAVIS, Secretary Senate.

Mr. Paulk moved to amend as follows:

And in the meantime the Governor shall receive proposals or offers of money, labor, land and material to be paid and contributed to the State for the use and benefit of said Asylum, with conditions attached to said proposals, as to the location of the same Asylum, which proposals the Governor shall transmit to the 11th General Assembly.

The amendment was adopted.

On motion the bill was read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bell, Buckham, Carey, Campbell, Cort, Christoph, Clark, Davis,

Dorr, Elliott, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Hildreth, Helm, Holdridge, Jeffries, Joy, Latham, Logan, Littler, Lindley, Lindsey, Lyons, Magill, Maxwell, Meissner, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Paulk, Perry, Pritchard, Russell of Jones, Richards, Sanderson, Simpson, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, White and Mr. Speaker—57.

The nays were Messrs. Bruce, Baylies, Close, Day, Glendenning, Green, Horton, Johnson, Parker, Potter, Stiles and Wolf—12.

Absent or not voting, Messrs. Bereman, Bromley, Burke, Brown, Carbee, Darby, Gose, Gilchrist, Hale, Hixson, Hurst, King, Knox, Lathrop, Morriam, Mills, Munsell, McCormack, Russell of Washington, Runyon, Sears, Sturgis and Sweet.

The bill passed, and the title was agreed to.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has concurred in the House amendments to Senate File No. 143, "A bill for an Act further defining the powers and duties of the Register of the State Land Office, and providing for a Seal."

And has passed House File No. 156, "A bill for an Act to change the names of counties," without amendment.

The Senate has also passed House File No. 87, "A bill for an Act to provide for the collection of money due the permanent school fund, purchase Capitol building," &c., without amendment.

WM. F. DAVIS, Sec. Senate.

Mr. Finkbine moved that when the House adjourn that it be until 7½ o'clock this evening. Carried.

Mr. Horton submitted the following report:

**MR. SPEAKER:**—The Committee on Enrolled Bills beg leave to report that they have presented to the Governor House Files No. 145 and 163, and Joint Resolution, giving Legislative Documents to clergymen officiating as chaplains to the 10th General Assembly," have examined Senate Files Nos. 54, 100 and 142, and Joint Resolution, relative to the distribution of certain books now in the hands of the Secretary State," and Joint Resolution for the relief of S. H. Taft, find them correctly enrolled, and present the same for your signature.

HORTON, Chairman.

On motion the House adjourned.

7½ O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Moir moved that a committee be appointed to wait on the Senate and inform them that the House are now ready to receive them in Joint Convention. Carried.

The Speaker appointed as said committee Messrs. Moir and Merriam.

Mr. Merriam from committee reported that they had performed their duty, and asked to be discharged.

The Speaker appointed Mr. Hildreth as Teller on the part of the House.

The Honorable Senate entered the Hall and took the seats assigned them.

The President announced that they had met in Joint Convention for the purpose of electing a Superintendent of Public Instruction, three Trustees of the Iowa State University, and five Trustees of the State Agricultural College, and announced Senator Knoll as Teller on the part of the Senate.

The President announced that nominations for Superintendents of Public Instruction would be in order.

Senator Boardman nominated Orin Faville of Mitchell County.

The Clerk proceeded to call the roll.

Whole number of votes cast.....	111
Of which Orin Faville received.....	104
Maturin L. Fisher	5
Mr. McBane	1
Mr. Dunlavy	1

Orin Faville having received a majority of all the votes cast was declared elected Superintendent of Public Instruction for the term of two years.

Those gentlemen voting for O. Faville were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Brown of the Senate, Bassitt, Bardick, Brunson, Boardman, Bridges, Carbee, Campbell, Close, Clark of the House, Clark of the Senate, Clarkson, Crookham, Cntts, Cutler, Darby, Davis, Dorr, Dixon, Elliott, Fenn, Fry, Fuller, Finkbine, Flaugh, Garrett, Green, Glendenning, Gose, Gray, Gue, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge, Hart, Henderson, Hogin, Hurley, Hillyer, Hunt, Hatch, Hilsinger, Jeffries, Joy, Johnson, King of the Senate, Latham, Logan, Littler, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Moir, McMaken, McNutt, McCall, McJunkin, McCrary of Lee, McCrary of Van Buren, Moore, McMillan, Merrill, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Patterson, Parvin, Russell of Jones, Roberts, Sanderson, Simpson, Sturgis, Stiles, Stanton, Spurrier, Skiles, Smith, Saunders, Stubbs, Shippen, Thompson, Van

Sandt, Weare, Wolfe, White, Wharton, Woolson and Mr. Speaker—104.

Those gentlemen voting for Mr. L. Fisher were Messrs. Cort, Christoph, Jennings, Knoll and Richards—5.

Mr. Carey voted for Mr. Dunlavy.

Mr. Hesser voted for Mr. McBane.

The President announced that nominations for five trustees of the State Agricultural College would be in order.

Mr. Clarkson nominated Messrs. Joseph McGown of Appanoose County, C. E. Whiting of Monona County, Suel Foster of Muscatine County, P. Melindy of Black Hawk County, Jesse Rogers of Hardin County.

Mr. Simpson nominated Robert Watson, for that of P. Melindy.

Mr. Maxwell nominated Mr. Hoggett of Story County.

Mr. Thompson nominated Phineas Caldwell of Harrison County.

The Clerk called the roll with the following result:

Whole number of votes cast.....	106
Necessary to a choice.....	54
Suel Foster received.....	99
Joseph McGown received.....	98
Peter Melindy ".....	95
Thomas Cadwell ".....	68
L. Q. Hoggett ".....	59
Jesse Rogers ".....	47
C. E. Whiting ".....	25
Robert Watson ".....	17
Scattering.....	23

Suel Foster, Joseph McGown, Peter Melindy, Phineas Cadwell and L. Q. Hoggett, having received a majority of the votes cast, were declared elected Trustees of the Agricultural College for the term of

Those gentlemen who voted for Suel Foster, were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Bassett, Burdick, Brunson, Boardman, Bridges, Carbee, Campbell, Close, Clark of the House, Clark of the Senate, Clarkson, Crookham, Cutts, Cutler, Day, Darby, Davis, Dorr, Dixon, Fenn, Fry, Fuller, Finkbine, Foote, Flaugh, Garrett, Galland, Green, Glendenning, Gose, Gray, Gue, Helm, Hurst, Holdridge, Hart, Henderson, Hugin, Hurley, Hillyer, Hesser, Hunt, Hatch, Hilsinger, Jeffries, Joy, Johnson, King of the Senate, Knoll, Latham, Logan, Lindley, Lindsay, Lyons, Merriam, Magill, Maxwell, Meissner, Moir, McMaken, McNutt, McCall, McCrary of Van Buren, Moore, McMillan, Merrill, Nelson, O'Brien, Parker, Paulk, Perry, Pritchard, Patterson, Parvin, Russell of Jones, Roberts, Sanderson, Simpson, Sturgis, Stiles, Stanton, Spurrier, Ekiles, Smith, Saunders, Stabha, Shippen, Thompson, Van Sandt, Weare, Wolf, Wharton and Mr. Speaker—99.

Those gentlemen who voted for Joseph McGown were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Bassett, Burdick, Brunson, Boardman, Bridges, Carbee, Campbell, Close, Clark of the House, Clark of the Senate, Clarkson, Crookham, Cutts, Cutler, Day, Darby, Davis, Dorr, Dixon, Fenn, Fry, Foote, Flaugh, Garrett, Galland, Green, Glendenning, Gose, Gray, Gue, Hale, Hildreth, Hixson, Helm, Hurst, Holdridge, Hart, Hugin, Hurley, Hillyer, Hesser, Hunt, Hatch, Hillsinger, Jeffries, Joy, Johnson, Jennings, King of the Senate, Knoll, Latham, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Moir, McMaken, McNutt, McCall, McCrary of Van Buren, Moore, McMillan, Merrill, Nelson, Parker, Paulk, Perry, Pritchard, Patterson, Parvin, Russell of Jones, Roberts, Sanderson, Simpson, Sturgis, Stiles, Stanton, Spurrier, Skiles, Smith, Saunders, Stubbs, Shippen, Thompson, Van Sandt, Weare, Wolfe, Wharton, and Mr. Speaker—98.

Those gentlemen voting for P. Melindy, were Messrs. Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Bassett, Brunson, Brayton, Boardman, Bridges, Carbee, Campbell, Close, Clark of the House, Clark of the Senate, Clarkson, Crookham, Cutts, Day, Darby, Davis, Dorr, Dixon, Fenn, Fry, Fuller, Finkbine, Foote, Flaugh, Garrett, Galland, Green, Glendenning, Gose, Gray, Gue, Hale, Hixson, Helm, Hurst, Holdridge, Hart, Henderson, Hugin, Hurley, Hillyer, Hesser, Hunt, Hatch, Hillsinger, Jeffries, Joy, Johnson, Jennings, King of the Senate, Knoll, Latham, Logan, Lindley, Lindsey, Lyons, Merriam, Maxwell, Meissner, Moir, McMaken, McCall, McCrary of Van Buren, Moore, McMillan, Merrill, Nelson, Parker, Paulk, Patterson, Parvin, Russell of Jones, Roberts, Sanderson, Stiles, Stanton, Spurrier, Skiles, Smith, Saunders, Stubbs, Shippen, Thompson, Van Sandt, Weare, Wolf, Wharton and Mr. Speaker—95.

Those gentlemen voting for Phineas Cadwell, were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Bassett, Boardman, Carbee, Campbell, Clark of the House, Cutts, Day, Darby, Davis, Dorr, Dixon, Fenn, Fry, Fuller, Foote, Green, Gose, Hildreth, Hixson, Helm, Hurst, Holdridge, Hatch, Hillsinger, Jeffries, Joy, Johnson, Jennings, Latham, Logan, Lindley, Lindsey, Lyons, Magill, Maxwell, Meissner, McMaken, McNutt, Moore, McMillan, Merrill, Nelson, Oliver, O'Brien, Parker, Perry, Patterson, Parvin, Russell of Jones, Roberts, Simpson, Stiles, Spurrier, Skiles, Smith, Sweet, Saunders, Stubbs, Thompson, Van Sandt, Vinton, Wolf, Wharton and Mr. Speaker—68.

Those gentlemen voting for L. Q. Haggett were Messrs. Andrews of Decatur, Bruce, Bell, Buckham, Baylies, Carbee, Campbell, Clark of the Senate, Day, Darby, Davis, Dorr, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Gose, Hale, Hildreth, Hixson, Holdridge, Henderson, Hunt, Hatch, Hillsinger, Jeffries, Joy, Jennings,

Latham, Lindley, Lindsey, Lyons, Magill, Maxwell, Meissner, McMaken, McNutt, McCall, McCrary of Van Buren, McMillan, Nelson, Parker, Perry, Pritchard, Roberts, Simpson, Sturgis, Stanton, Skiles, Smith, Saunders, Stubbs, Thompson, Van Sandt, Wolfe, Wharton and Mr. Speaker—59.

Those gentlemen voting for C. E. Whiting, were Messrs. Carey, Campbell Christoph, Close, Clarkson, Crookham, Flaugh, Galland, Gray Gue, Hart, Hogin, Hesser, Jennings, King of the Senate, Knoll, Merriam Moir, Oliver, O'Brien, Paulk, Pritchard, Sander-son, Sturgis and Weare—25.

Those gentlemen who voted for Jesse Rogers were Messrs. Brom-leh, Bassett, Burdick, Brunson, Boardman, Bridges, Close, Clarkson, Crookham, Cutts, Cutler, Dixon, Finkbine, Foote, Flaugh, Gar-rett, Green, Gray, Gue, Hale, Hildreth, Helm, Hurst, Hart, Ho-gin, Hurley, Hillyer, Hesser, Jeffries, Johnson, King of the Senate, Knoll, Logan, Merriam, Moir, McCrary of Van Buren, Moore, Oli-ver, Paulk, Patterson, Parvin, Russell of Jones, Sanderson, Stiles, Spurrier, Shippen and Weare—47.

Those gentlemen voting for Robert Watson were Messrs. Bell, Burdick, Brunson, Clark of the Senate, Clark of the House, Fink-bine, Glendenning, Hale, Hildreth, Henderson, Hillyer, Magill, McNutt, Simpson, Sturgis, Stanton and Shippen—17.

Scattering, 23.

The President announced that nominations for three Trustees for State University, would next be in order.

Mr. Finkbine nominated Rush Clark of Johnson County.

Mr. Stubbs nominated Lewis W. Ross of Pottawattamie County.

Mr. Magill nominated Rev. Edward Peet of Polk County.

Mr. Weare nominated J. F. Ely of Linn County.

Mr. Hatch nominated Rev. Thompson Bird of Polk County.

Mr. Stiles nominated T. C. Woodward of Wapello County.

Mr. Patterson nominated Orin Faville of Mitchell County.

Mr. Saunders nominated Ebenezer Cook of Scott County.

Mr. Parvin nominated S. P. Vielee of Muscatine County.

Whole number of votes cast, were.....	74
Necessary to a choice.....	38
Of which L. W. Ross received.....	67
Rush Clark ".....	54
T. C. Woodward ".....	53
Ebenezer Cook ".....	41
Edward Peet ".....	31
S. P. Vielee ".....	29
Thompson Bird ".....	27
J. F. Ely ".....	17
Scattering.....	10

L. W. Ross, Rush Clark, and T. O. Woodward, having received the highest number of votes cast, were declared Trustees of the State University, for the term of ——— years.

Those gentlemen voting for Lewis W. Ross were Messrs. Bruce, Bromley, Buckham, Baylies, Burdick, Brunson, Carbee, Campbell, Close, Clark of the House, Clarkson, Crookham, Cutts, Outler, Day, Davis, Dixon, Fenn, Fry, Finkbine, Foote, Garrett, Glendenning, Gose, Hale, Hildreth, Hixson, Helm, Holdridge, Hart, Hogin, Hillyer, Hunt, Hatch, Hilsinger, Jeffries, Joy, Knoll, Littler, Lindsey, Lindsey, Lyons, Merriam, Magill, Maxwell, Moir, McMaken, McNutt, Moore, McMillan, Nelson, Oliver, Perry, Patterson, Parvin, Russell of Jones, Roberts, Simpson, Sturgis, Stiles, Smith, Saunders, Stubbs, Shippen, Van Sandt, Wharton and Mr. Speaker—67.

Those gentlemen voting for Rush Clark were Messrs. Bruce, Bromley, Buckham, Baylies, Burdick, Brunson, Carbee, Campbell, Close, Cutler, Day, Davis, Dorr, Finkbine, Foote, Hale, Hildreth, Hixson, Helm, Holdridge, Hogin, Hillyer, Hunt, Hilsinger, Joy, Jennings, Little, Lindsey, Lyons, Merriam, Magill, Maxwell, Moir, McMaken, McNutt, Moore, McMillan, Oliver, Paulk, Perry, Parvin, Russell of Jones, Ross, Simpson, Sturgis, Stiles, Spurrier, Skiles, Smith, Stubbs, Shippen, Thompson, Van Sandt, Wharton and Mr. Speaker—54.

Those gentlemen voting for T. O. Woodward, were Messrs. Bruce, Bromley, Buckham, Baylies, Burdick, Carbee, Campbell, Close, Clark of the House, Clarkson, Crookham, Davis, Dixon, Fenn, Fry, Fuller, Finkbine, Foote, Garrett, Green, Gose, Hale, Helm, Hart, Hogin, Hillyer, Hunt Hatch, Hilsinger, Jeffries, Joy, Knoll, Littler, Lindsey, Lindsey, Lyons, Merriam, Maxwell, Moir, McMaken, Moore, McMillan, Nelson, Oliver, Ross, Stiles, Spurrier, Skiles, Smith, Stubbs, Thompson and Van Sandt—53.

Those gentlemen who voted for Ebenezer Cook were Messrs. Bruce, Bromley, Buckham, Close, Crookham, Cutts, Outler, Dorr, Fenn, Finkbine, Foote, Green, Gose, Hildreth, Hart, Hogin, Hillyer, Hatch, Joy, Littler, Lindsey, Merriam, Magill, McMaken, Moore, Oliver, Paulk, Perry, Parvin, Russell of Jones, Ross, Simpson, Spurrier, Skiles, Smith, Saunders, Shippen, Thompson, Van Sandt, Wharton and Mr. Speaker—41.

Those gentlemen voting for Edward Peet, were Messrs. Buckham, Brunson, Clark of the Senate, Crookham, Cutts, Outler, Green, Hale, Hixson, Holdridge, Hart, Jeffries, Knoll, Lindsey, Magill, Moir, Nelson, Paulk, Patterson, Roberts, Simpson, Sturgis, Stiles, Spurrier, Skiles, Smith, Saunders, Stubbs, Thompson, Van Sandt, and Wharton—31.

Those gentleman voting for S. D. Vielee, were Baylies, Burdick, Brunson, Campbell, Clark of the House, Cutts, Dorr, Dixon, Finkbine, Hart, Hogan, Hatch, Hilsinger, Jeffries, Knoll, Lyons, Mc



Maken, Paulk, Patterson, Farvin, Roberts, Rosa, Sturgiss, Skiles, Saunders, Stubbs, Thompson, Wharton, and Mr. Speaker—29.

Those gentlemen voting for Thompson Bird, were Messrs. Cutler, Dixon, Fenn, Fry, Fuller, Foote, Garrett, Hildreth, Hillyer, Hunt, Hatch, Hilsinger, Joy, Jennings, Littler, Lindley, Lyons, Maxwell, McNutt, Moore, McMillan, Patterson, Roberts, Ross, Stiles, Shippen and Mr. Speaker—27.

Those gentlemen voting for J. F. Ely, were Messrs. Carbee, Close, Dorr, Dixon, Hale, Helm, Holbridge, Hunt, Merriam, Magill, Moir, McMillan, Nelson, Paulk, Perry, Russell of Jones and Spurrier—17.

Scattering—10.

The following certificates were then signed by the President of the Senate and Speaker of the House of Representatives, attested by the Tellers, in the presence of the Joint Convention, and read by the Clerk of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, March 26th, 1864. }

This will certify that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled at the Capitol on Saturday, March 26, 1864, for the purpose of electing a Superintendent of Public Instruction, Orin Faville having received a majority of all the votes cast for said office, was declared duly elected Superintendent of Public Instruction for the State of Iowa, for the term of two years, and until his successor is elected and qualified.

Signed in presence of Joint Convention, the day and year first above mentioned.

E. W. EASTMAN,  
President of the Convention.

JACOB BUTLER,  
Speaker of the House of Representatives.

Attest, F. M. KNOLL, Teller for the Senate,  
A. B. F. HILDRETH, Teller for the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, March 26th, 1864. }

This is to certify that an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention, assembled at the Capitol on Saturday, March 26, A. D. 1864, for the purpose of electing Trustees of the Agricultural College and Farm, Snell Foster, having received a majority of all the votes cast, was declared duly elected for the term of two years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

E. W. EASTMAN,  
President of the Convention.

JACOB BUTLER,

Speaker of the House of Representatives.

Attest, F. M. KNOLL, Teller for the Senate,

A. B. F. HILDRETH, Teller for the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 26, 1864. }

This will certify that at an election held by the Senate and House of Representatives in Joint Convention assembled at the capitol on Saturday March 26th, A. D. 1864, for the purpose of electing Trustees of the Agricultural College, Joseph McGown, having received a majority of all the votes cast for said office, was declared duly elected a Trustee of the Agricultural College and Farm of the State of Iowa, for the term of two years from and after the expiration of the time of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

E. W. EASTMAN,  
President of the Convention.

JACOB BUTLER,

Speaker of the House of Rep.

Attest, F. M. KNOLL, Teller on part of Senate.

A. B. F. HILDRETH, Teller of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, March 26th, 1864. }

This is to certify that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled at the Capitol on Saturday March 26th, 1864, for the purpose of electing Trustees of the Agricultural College and Farm, Peter Melindy having received a majority of all the votes cast for said office, was declared duly elected for the term of two years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

E. W. EASTMAN,  
President of the Convention.

JACOB BUTLER,

Speaker of the House of Rep.

Attest, F. M. KNOLL, Teller for the Senate.

A. B. F. HILDRETH, Teller for the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, March 26, 1864. }

This will certify that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled at the Capitol, on Saturday, March 26, 1864, for the purpose of electing Trustees of the Agricultural College and Farm, Phineas Cadwell, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Agricultural College and Farm, for the term of two years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

E. W. EATSMAN,  
 President of Convention.

JACOB BUTLER,  
 Speaker of the House of Representatives.

Attest, F. M. KNOLL, Teller on part of the Senate,  
 A. B. F. HILDRETH, Teller for the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, March 26th, 1864. }

This is to certify that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled at the Capitol on Saturday, March 26th, 1864, for the purpose of electing Trustees of the Agricultural College and Farm, L. Q. Haggett, having received a majority of all the votes cast for said office, was declared duly elected for the term of two years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

E. W. EASTMAN,  
 President of the Convention.

JACOB BUTLER,  
 Speaker of the House of Representatives.

Attest, F. M. KNOLL, Teller on part of the Senate,  
 A. B. F. HILDRETH, Teller for the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, March 26th, 1864. }

This will certify that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled at the Capitol on Saturday March 26th, 1864, for the purpose of electing Trustees of the State University, L. W. Ross of Potta-

wattamie County, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the State University, for the term of ——— years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in presence of the Joint Convention, the day and year first above written.

E. W. EASTMAN,  
President of the Convention.

JACOB BUTLER,  
Speaker of the House of Rep.

Attest, F. M. KNOLL, Teller on the part of the Senate.

A. B. F. HILDRETH, Teller for the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, March 26th, 1864. }

This will certify that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled at the Capitol on Saturday March 26th, 1864, for the purpose of electing Trustees of the State University, Rush Clark of Johnson County, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the State University for the State of Iowa, for the term of ——— years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in presence of the Joint Convention, the day and year above mentioned.

E. W. EASTMAN,  
President of the Convention.

JACOB BUTLER,  
Speaker of the House of Rep.

Attest, F. M. KNOLL, Teller on part of the Senate.

A. B. F. HILDRETH, Teller for the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, March 26th, 1864. }

This will certify that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled at the Capitol on Saturday March 26th, 1864, for the purpose of electing Trustees of the State University of Iowa, T. C. Woodward of Wapello County, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the State University of Iowa for the term of ——— years for and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention the day and year first above written.

E. W. EASTMAN,  
President of the Convention.

JACOB BUTLER,  
Speaker of the House of Rep.

Attest, F. M. KNOLL, Teller on part of the Senate.

A. B. F. HILDRETH, Teller for the House.

Mr. Stubbs moved that the Joint Convention adjourn *sine die*.  
Carried.

On motion of Mr. Russell of Jones, the House adjourned.

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HALL OF THE HOUSE OF REPRESENTATIVES, }  
MONDAY, March 28th, 1864. }

House met pursuant to adjournment.

Prayer by Rev. Thompson Bird.

On motion, the reading of Saturday's Journal was dispensed with.

#### REPORTS OF COMMITTEES.

The committee on Claims to whom was referred the claim of Capt. Trip for loss of a horse, have had the same under consideration, and have instructed me to report it back to the House, with the recommendation that it be not allowed.

H. M. THOMPSON, for Committee.

Adopted.

The committee on Claims, to whom was referred the claim of R. A. Smith of \$333.00 for lumber furnished for the construction of a stockade at Spirit Lake, have had the same under consideration, and have instructed me to report it back to the House, and to state that the majority of the committee recommend that it be allowed, and that the resolution in relation thereto be adopted.

H. M. THOMPSON, for Committee.

MR. SPEAKER:—I am instructed to report that the committee on Claims has had under consideration the claims of Andrew S. Mead and John A. Kirchner for timber furnished to build a block-house, and have instructed me to report the same back to the House without recommendation, for the House to take such action as it may deem just.

By order of the committee.

J. W. SIMPSON.

Laid on the table.

The committee on Claims to whom was referred the claim of Capt. John Wilcox Co. B, 7th Iowa Cavalry, beg leave to report that they have had the same under consideration, and have instructed me to report the papers back to this House, and to recommend that no further action be taken on the subject.

By the provisions of an act passed at the present session of the General Assembly, entitled "An Act to provide for the payment of the just claims of certain officers and soldiers of Iowa regiments," all meritorious claims of the nature above referred to, will be admitted and allowed to the parties claiming upon application to the proper department.

JOHNSON, for Committee.

The committee on Claims, to whom was recommitted the claims of John Harper and Smith D. Conlee, for horses lost in the State service, while in the Northern Border Brigade, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying resolution, and recommend it be adopted.

Respectfully submitted.

MOIR, Chairman.

Report adopted.

Joint Resolution to provide for the auditing of the claims of John Harper and Smith D. Conlee,

*Be it Resolved by the General Assembly of the State of Iowa, That the State Auditing Board be and they are hereby authorized and empowered to audit and allow the claims of John Harper and Smith D. Conlee, for horses lost while in the service of the State in the Northern Border Brigade, not to exceed however, the appraised value of said horses.*

Adopted.

The Committee on Claims to whom was referred the claim of	
T. J. Moorman for.....	\$109 50
Aaron Flucky for.....	30 00
Cordy Glanden for.....	165 00
Allen Hale for.....	92 00
Thos. Morgan for.....	50 00
D. M. Phelps for.....	152 50

Total.....\$599 00

Beg leave to report that they have had the same under consideration and have instructed me to report the same back to this House, and as your committee have been unable to obtain any evidence regarding these claims, they recommend that said claims be not allowed, and that they be allowed to be withdrawn without prejudice.

MOIR, Chairman.

Adopted.

The committee on claims to whom was referred Senate File No. 237, "A bill for an Act to provide for a settlement of claims of the State against Winterbottom & Jones, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to this House and recommend that said bill do pass.

MOIR, Chairman.

Adopted.

The committee on Schools and State University to whom were referred remonstrances of citizens of the counties of Marion and Mahaska against increasing the duties and pay of County Superintendents, report the same back, and recommend that their further consideration be indefinitely postponed.

HILDRETH, Chairman.

Adopted.

The committee on Schools and State University, to whom was referred House File No. 59, "A bill for an Act to amend an act entitled an act to provide a system of Common Schools," passed Dec. 24th, 1859, report back the same, and recommend that it be indefinitely postponed.

HILDRETH, Chairman.

Adopted.

The committee on Schools and State University, to whom were referred petitions of citizens of Fayette and Chickasaw counties, asking for a law providing that sub-districts having two hundred inhabitants, may organize independent districts, report back the same, and submit that, in the opinion of the committee, it is inexpedient to grant the prayer of the petitioners.

HILDRETH, Chairman.

Adopted.

The committee on Schools and State University, to whom was referred the petition of the Board of Supervisors of Clinton county, asking that the rate of interest on the School Fund be reduced, report back the same, with the remark that their prayer has been granted, as far as practicable.

HILDRETH, Chairman.

Adopted.

The committee on Schools and State University, to whom were referred petitions of citizens of Scott, Muscatine and Davis counties, praying for changes in the school laws, report back the same, and recommend that their further consideration be indefinitely postponed.

HILDRETH, Chairman.

Adopted.

The committee on Schools and State University, to whom was referred House File No. 12, "A bill to abolish the Board of Education, report back the same, and recommend that it lie upon the table, a law of that kind having been already enacted.

HILDRETH, Chairman.

Adopted.

The committee on Schools and State University, to whom were referred petitions of citizens of the counties of Linn, Montgomery, Pocahontas, Warren, Ailamakee, Mahaska, Benton, Carroll, Pottawatomie, Jefferson, Floyd, Monroe, Sac, Page, Washington, Van Buren, and Marion, asking for an increase of duties and pay of County Superintendents, respectfully report back the same, with the recommendation that their further consideration be indefinitely postponed.

HILDRETH, Chairman.

Adopted.

The committee on Military Affairs, to whom was referred certain papers relating to the claim of one Perry Tullis, have had the same under consideration, and instruct me to report the same back, and recommend that no action be taken in the matter, and that the parties interested be allowed to withdraw the papers without prejudice.

J. ANDREWS, Chairman.

Adopted.

The committee on Charitable Institutions report back the petitions in relation to locating the Orphan Asylum, without recommendation.

PAULKE.

Adopted.

The committee on County and Township Organization, to whom was referred House File No 175, "A bill for an Act fixing the compensation of township clerks in certain cases, have directed me to report the accompanying substitute therefor, and recommend its passage.

O. NELSON, Chairman.

#### REPORT OF COMMITTEE ON EXPENDITURES.

Your committee on Expenditures to whom was referred a communication of the State Treasurer, Wm. H. Holmes, in answer to a resolution of enquiry addressed to him by the House, requesting him to report the amount of gold and demand notes received into the Treasury since the passage of the act of April A. D. 1862, authorizing the reception of the notes of the State Bank of Iowa and U. S. Treasury and demand notes in the payment of taxes, beg leave to report, that in accordance with the instructions of the House they



have made such further inquiry into the subject as their time and opportunities would permit, and have been able to ascertain several facts in relation to the matter which they deem it their duty to lay before the House.

A short time after your committee commenced their inquiries, they deemed it necessary to ask leave of the House to send for persons and papers and to administer oaths, which powers were granted. Under this authority several witnesses were summoned, sworn, and testified.

From the testimony elicited, your committee are forced to the conclusion that the late Treasurer of State, John W. Jones, received into his hands as State Treasurer, a large amount of gold and demand notes between the first day of May A. D. 1862, and the first of January A. D. 1863. It seems from the testimony, that the highest amount of gold and demand notes in the safe at any one time between the above mentioned dates, was about \$80,000. Your committee have been unable to ascertain what disposition was made by Mr. Jones of the greater portion of these funds, except the \$20,000 by him paid over to his successor, the present State Treasurer, but are fully satisfied that large amounts were taken from the safe and their places supplied by Treasury Notes and notes of the State Bank of Iowa.

It appears at one time about the last of May or first of June, that Mr. Jones took from the safe \$15,000 in gold and told his deputy to put two empty oyster cans in the place of it. It seems these oyster cans were placed in the safe and piles of gold placed around, and on the tops of them, in order to keep up the appearance of quantity. These remained in the safe till the first of September following.

Your committee are satisfied that the interest on the State indebtedness was not paid in gold, and that no large amount was paid in gold by Mr. Jones, to the creditors of the State between the first day of May 1862 and the time of his leaving the office and passing it over to the present incumbent. The gold seems to have disappeared from the safe, and the State has not derived any advantage from the premium which it commanded in the market, and its place seems to have been supplied by United States Treasury and State Bank of Iowa notes.

There is another subject not properly embraced in or covered by the report of the Treasurer or resolution of the House, which came to the knowledge of your committee, during the progress of their investigation, and to which they deem it their duty to direct the attention of the House.

It seems, from the testimony elicited in the examination, that the late State Treasurer, John W. Jones, was in the habit of redeeming large amounts of warrants, when presented by certain parties, out of the order of their issuance; and the books show that large amounts of warrants on the war and defense fund were frequently

issued, presented by the parties to whom issued, and endorsed without payment; that they passed into the hands of these third parties, and were redeemed sometimes the same day, or a day or two afterwards.

Your committee have not been able to learn that Mr. Jones received or accepted any money from these favored parties in consideration for the preferences they seemed to enjoy.

It appears from the testimony of one witness, that he (witness) received at one time from Mr. Jones the sum of five thousand dollars for the purchase of warrants at a discount. The money paid to witness was taken by Jones out of the Treasurer's safe; the warrants to that amount bought by witness at four per cent. discount, and the profits divided equally, Jones receiving two per cent., with the affirmation that he looked upon it as a gift from witness.

It also appears on the books that the said witness had dealt in warrants to the amount of about fourteen thousand dollars. In his testimony he estimated the amount which Mr. Jones redeemed for him at a discount, exclusive of the five thousand before mentioned, at seven thousand dollars—in all, twelve thousand dollars.

The books of course show that all warrants were redeemed at their face. Your committee are very reluctantly forced to the conclusion that the late State Treasurer was engaged to a considerable extent in very unwarrantable speculations in the war and defense fund warrants of the State.

Your committee deem it but justice to the present incumbent of the Treasurer's office to say that they are fully satisfied that he has faithfully guarded the interests of the State, and has satisfactorily accounted for all the gold that has come in his hands, and that he has otherwise honestly and faithfully discharged his duties.

Your committee herewith submit the testimony of witnesses examined, and leave the whole subject to the disposition of the House, and recommend the passage of the following resolution with reference to it:

*Resolved*, That the above report of the committee on expenditures, and the accompanying testimony, or copies thereof, be submitted to the Governor and Attorney General, for them to take and direct such action in the premises as they may deem for the best interests of the State, and the facts will justify.

Mr. Moir moved that the Clerk of this House be directed to send a copy of the report of Mr. Parker with the accompanying resolution to John W. Jones at Oskaloosa. Carried.

The Standing Committee on Railroads to whom was referred sundry and divers petitions, memorials and remonstrances relating to Railroad matters, have instructed me to report the same back without recommendation.

S. G. MAGILL, Chairman.

Laid on the table.

The committee on the suppression of intemperance to whom had been referred numerous petitions and remonstrances for and against the repeal of the Prohibitory Liquor Law and the enactment of a law licensing the sale of intoxicating liquors, and also House File No. 55, "A bill for an Act to amend the law in reference to the sale of intoxicating liquors, providing for a more stringent law against the sale thereof; and also House File No. 140, "A bill for an Act to regulate and license the sale of intoxicating liquors," have had the same under consideration, and herewith report them back to the House with the recommendation that both of said bills be indefinitely postponed, and that no change be made in the existing law for the suppression of intemperance. Your committee have based their conclusions upon the reasons following:

*First:* That while we are fully aware that the present Prohibitory Liquor Law is not enforced in all parts of the State, we at the same time know that in some parts of the State it is enforced, and we believe that there is less intemperance to-day than before the passage of the law,—that drunkenness and the drinking of intoxicating liquors is less respectable and more disreputable now than then.

Upon the whole, we believe that considerable advancement has been made in the suppression of intemperance, and much good accomplished by the Prohibitory Liquor Law.

In view of these and other facts your committee are of the unanimous opinion that it would be unwise as well as impolitic to repeal this law and enact a license law instead. We believe that by so doing we should by one single act neutralize the progressive efforts of years; destroy all the good that has been accomplished; effectually discourage and demoralize the friends of temperance and humanity, and indirectly acknowledge that we are the hopeless victims of unbridled intemperance; that we can not control, but seek to make respectable by the sanctioning license of the State.

*Secondly:* There have been presented to this House, and referred to the committee, numerous signed remonstrances against the repeal of the liquor law and the enactment of a license law instead, from nearly every part of the State, outnumbering at least ten to one of the petitions which have been presented for the repeal of the law, the committee, therefore, independent of their own private views, as above expressed, feel constrained to recommend as they do, in obedience to the weight of the popular will as thus expressed.

With regard to making the law more stringent, your committee, for several reasons, are of the opinion that it would be impolitic, and not fraught with beneficial results to do this at present, and conclude this report with the recommendation that the law, for the present, be permitted to remain as it is, accomplishing whatever good it is able, until the progressive moral intelligence of the people

shall have reached that standard when the law will be generally and thoroughly respected and enforced.

EDWARD H. STILES, Chairman.

The report was adopted.

The committee on Judiciary, to whom was referred House File No. 172, "A bill for an Act in relation to costs and expenses in certain cases," have had the same under consideration, and instructed me to report the same back, with the following substitute therefor, and recommend its adoption and passage.

EDWARD H. STILES, for Committee.

The Judiciary Committee, to whom was referred House File No. 162, "A bill for an Act for the relief of Christopher Miller," have had the same under consideration, and instructed me to report the same back to this House, with the recommendation that it pass.

EDWARD H. STILES, for Committee.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed substitute for House File No. 162, "A bill for an Act to legalize the levy and collection of certain taxes in certain cities and towns.

Senate File No. 219, "A bill for an Act for the relief of Minor Collins, Wm. L. Thomas and others.

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

House File No. 162, "A bill for an Act for the relief of Christopher Miller," was taken up, on motion, was read a third time, and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Close, Clark, Day, Davis, Fry, Finkbine, Garrett, Galland, Green, Gose, Hale, Hildreth, Helm, Hurst, Holdridge, Jeffries, Joy, Johnson, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Oliver, O'Brien, Paulk, Perry, Potter, Russell of Jones, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Van Sandt, Vinton, Wolf and Mr. Speaker—68.

The nays were Messrs. Burke, Christoph, Nelson and Weare—4.

Absent or not voting, Messrs. Bereman, Brown, Darby, Dorr, Elliott, Fenn, Fuller, Glendenning, Gilchrist, Hixson, Horton, King, Knox, Littler, McCormack, Parker, Pritchard, Runyon, Sears, Sweet, Thompson and White.

The bill passed and the title was agreed to.

The committee on County and Township Organization to whom was referred Senate File No. 192, "A bill for an act to allow the County Board of Supervisors of any organized county to assume the payment of any obligation heretofore executed by the Trustees of any township for the construction of bridges, streets or highways, have directed me to report the same back to this House with the recommendation that it be indefinitely postponed.

O. NELSON, Chairman.

Mr. Andrews of Keokuk, reported House File No. 179, "A bill for an act relating to land for the State Arsenal of Des Moines." Read a 1st and 2d time.

On motion, the bill was read a 3d time and put upon its passage.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bell, Buckham, Baylies, Fenn, Galland, Helm, Horton, Joy, Johnson, Lathrop, McNutt, McKnight, Paulk, Russell of Washington, Sanderson, Stiles, Stanton, Smith, Skiles, Van Sandt, Wear, Wolf and Mr. Speaker—24.

The nays were Messrs. Andrews of Decatur, Bruce, Bromley, Burke, Carey, Campbell, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fry, Finkbine, Glendenning, Green, Gose, Hale, Hildreth, Hurst, Holdridge, Jeffries, Logan, Lindsey, Lyons, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, O'Brien, Parker, Pritchard, Potter, Russell of Jones, Richards, Simpson, Spurrier, Vinton and White—44.

Absent or not voting, Messrs. Bereman, Brown, Carbee, Fuller, Garrett, Gilchrist, Hixson, King, Knox, Latham, Littler, Lindley, Merriam, Mills, McCall, McCormack, Nelson, Oliver, Runyon, Sears, Sturgis, Sweet and Thompson.

The bill did not pass.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the Senate File No. 242, "A bill for an act making appropriations for the per diem of the members and officers of the 10th General Assembly, and for other purposes."

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

Mr. Oliver offered the following Joint Resolution in reference to the accounts of Monona County:

*Resolved*, That the Auditor of State be and is hereby instructed to place to the credit of Monona County the sum of three hundred and nineteen dollars and forty one cents, (\$319.41), which on the fifth day of August A. D. 1857, was paid by Wm. Burton, Treasurer of said county, to the order of John Pattee, Auditor of State, and

has never been placed to the credit of said county, and charge the same to the account of John Patte, *provided* said Monona County shall first pay into the State Treasury the sum of six hundred and forty-nine dollars and sixty-six cents, (649.66), being the balance for which said Burton is in default after deducting the above credit.

On the question "Shall the resolution be adopted," the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bromley, Bell, Buckham, Baylies, Burke, Campbell, Darby, Davis, Dorr, Fenn, Fry, Galland, Glendenning, Green, Gose, Hale, Hildreth, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Lathrop, Logan, Lindley, Merriam, Magill, Maxwell, Munsell, Moir, McKnight, Oliver, Parker, Paulk, Perry, Pritchard, Richards, Sturgis, Stiles, Smith, Skiles, Thompson, Van Sandt, Vinton, Weare and Wolf—46.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Carey, Carbee, Cort, Christoph, Close, Clark, Day, Elliott, Fuller, Finkbine, Garrett, Hurst, Latham, Lindsey, Lyons, Meissner, Mills, McMaken, McNutt, Neison, O'Brien, Potter, Russell of Washington, Sanderson, Simpson, Stanton, Spurrier and Mr. Speaker—31.

Absent or not voting, Messrs. Bereman, Brown, Gilchrist, Hixson, King, Knox, Littler, McCall, McCormack, Russell of Jones, Runyon, Sears, Sweet and White.

The motion prevailed.

Mr. Vinton moved to reconsider the vote by which Senate File No. 233, "A bill for an Act to provide for correcting the account of the State with Grundy county," was lost. Carried.

Mr. Moir moved that the vote by which the bill was ordered to a third reading, be reconsidered. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Bell, Baylies, Burke, Carey, Carbee, Darby, Davis, Dorr, Fenn, Fry, Finkbine, Garrett, Galland, Green, Hale, Hildreth, Helm, Hurst, Jeffries, Joy, Lathrop, Logan, Littler, Lindsey, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McKnight, Oliver, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Jones, Richards, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare and Mr. Speaker—54.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Buckham, Campbell, Cort, Christoph, Close, Clark, Day, Fuller, Gose, Horton, Holdridge, Johnson, Lindley, Lyons, Mills, McNutt and McCall—23.

Absent or not voting, Messrs. Bereman, Brown, Elliott, Glendenning, Gilchrist, Hixson, King, Knox, Latham, McCormack, Neison, Paulk, Russell of Washington, Runyon, Sears and Sweet.

The bill passed and the title was agreed to,

## RESOLUTIONS.

Mr. Finkbine offered the following resolutions:

*Resolved by the General Assembly of the State of Iowa, That all laws passed by the 10th General Assembly of the State of Iowa, which are or were to take effect by publication in the papers of the State, shall be published in the Iowa Weekly Statesman, a newspaper published at Des Moines, provided that this resolution shall not authorize the re-publication of any law that has been officially published in the Daily or Weekly Statesman.*

On the question "Shall this resolution be adopted?" the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bromley, Carey, Carbee, Cort, Christoph, Close, Clark, Dorr, Fry, Finkbine, Galland, Green, Hale, Helm, Hurst, Holdridge, Johnson, Latham, Lathrop, Lindley, Lindsey, Merriam, Magill, Meissner, Moir, McMaken, McNutt, McKnight, Oliver, O'Brien, Parker, Paulk, Pritchard, Potter, Richards, Sanderson, Simpson, Sturgis, Stiles, Smith, Skiles, Thompson, Weare, White and Mr. Speaker—45.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Baylies, Day, Darby, Davis, Elliott, Fenn, Fuller, Garrett, Glendenning, Gosé, Hildreth, Horton, Joy, Lyons, Maxwell, Mills, Munsell, McCall, Nelson, Perry, Russell of Jones, Russell of Washington, Stanton, Spurrier, Vinton and Wolf—33.

Absent or not voting, Messrs. Bereman, Burke, Brown, Campbell, Gilchrist, Hixson, Jeffries, King, Knox, Logan, Littler, McCormack, Runyon, Sears, Sweet and Van Sandt.

The motion prevailed.

Mr. Galland offered the following resolution and moved its adoption. Carried.

*Resolved, That both Dictionaries belonging to the House be placed in the hands of the Secretary of State for the use of future General Assemblies. Adopted.*

Mr. Johnson offered the following resolution, which on motion, was laid on the table.

*Resolved, by the House of Representatives of the State of Iowa, That the report of the committee on Expenditures, with the accompanying minutes of testimony, be ordered printed for the use of this House.*

Mr. Hildreth offered the following resolution, which was laid on the table.

*Resolved by the House of Representatives, the Senate concurring, That the pinchbeck pens and penholders furnished the members of this General Assembly, be returned to the Census Board with the request that they be deposited in the room of the State Historical Society at Iowa City, as lasting memorials of the virtue and economy of said Board, and of the 10th General Assembly.*

Mr. Horton made the following report:

**MR. SPEAKER**:—The Committee on Enrolled Bills beg leave to report that they have examined House Files Nos. 47, 127, 156, 169 and 176, and Senate Files Nos. 7, 21, 60, 111, 143, 200, 225, 241 and 256, and Joint Resolution explanatory of Chap. 9 of the laws of the 10th General Assembly, find them correctly enrolled, and present the same for your signature.

**HORTON**, Chairman.

**Mr. Maxwell**, by leave, called up House File No. 114, "A bill for an Act for making further appropriations for the selection and plotting of the Agricultural College Lands," which was referred to a Select Committee of three, consisting of Messrs. Paulk, Richards and Maxwell.

#### MESSAGES AND COMMUNICATIONS.

Senate File No. 198, "A bill for an Act authorizing the construction of Railroads and bridges across the Mississippi river," was taken up.

**Mr. Magill** moved to lay the bill on the table. Lost.

**Mr. Magill** moved to strike out Sec. 10.

**Mr. Vinton** moved the previous question, which was seconded.

The question recurring on the motion of **Mr. Magill**, it prevailed.

On motion, the bill was read a third time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bromley, Bell, Burke, Carbee, Cort, Christoph, Cloes, Darby, Fenn, Fry, Fuller, Garrett, Galland, Green, Hildreth, Helin, Horton, Hurst, Holdridge, Joy, Johnson, Lathrop, Logan, Lyons, Merriam, Maxwell, Meissner, Munsell, Moir, McNutt, Oliver, O'Brien, Parker, Potter, Russell of Jones, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Van Sandt, Vinton, Weare, White and **Mr. Speaker**—50.

The nays were Messrs. Andrews of Keokuk, Andrews of Decoratur, Bruce, Backham, Baylies, Carey, Campbell, Day, Davis, Elliott, Latham, Littler, Lindley, Lindsey, Magill, Mills, McMaken, McCall, Nelson, Paulk, Perry and Wolf—22.

Absent or not voting, Messrs. Bereman, Brown, Clark, Dorr, Finkbine, Glendenning, Goose, Gilchrist, Hale, Hixson, Jeffries, King, Knox, McCormack, McKnight, Pritchard, Remyon, Sears, Sweet and Thompson.

The bill passed and the title was agreed to.

Senate File No. 232, "A bill for an Act to prevent disturbance and drunkenness on all election days held by the people of the State of Iowa," was taken up, and, on motion, was referred to committee on Intemperance.



House File No. 96, "A bill for an Act apportioning the State of Iowa into Representative districts," with Senate amendments, was taken up.

On motion, the amendments were adopted.

Mr. Moir moved to refer the bill to committee on Constitutional Amendments. Carried.

House File No. 46, "A bill for an Act fixing the rate of interest on School Fund," was taken up, with Senate amendments.

Mr. Hildreth moved to concur in the amendments.

Mr. Vinton moved the previous question, which was seconded.

On the question "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion of Mr. Hildreth, all of the amendments were concurred in but the last, on which amendment the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Darby, Davis, Fenn, Fry, Fuller, Finkbine, Galland, Hildreth, Joy, Merriam, McMaken, McNutt, Oliver, Perry, Potter, Sanderson, Sturgis, Stiles, Stanton, Skiles, Vinton, Wolf and Mr. Speaker—27.

The nays were Messrs. Andrews of Keokuk, Buckham, Burke, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Dorr, Elliott, Garrett, Glendenning, Green, Gose, Helm, Horton, Holdridge, Jeffries, Johnson, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McCall, McKnight, O'Brien, Paulk, Pritchard, Russell of Jones, Russell of Washington, Richards, Simpson, Smith, Spurrier, Sweet, Thompson, Van Sandt, Weare and White—51.

Absent or not voting, Messrs. Bereman, Baylies, Brown, Gilchrist, Hale, Hixson, Hurst, King, Knox, Littler, McCormack, Nelson, Parker and Ranyon.

The motion was lost.

Senate File No. 241, "A bill for an Act making appropriations for the per diem of the officers and members of the 10th General Assembly, and for other purposes," was taken up.

Mr. Merriam moved that the bill be read a third time and put upon its passage. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fry, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hildreth, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Latham, Lathrop, Logan, Lindley, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oli-

ver, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Smith, Skiles, Spurrier, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—72.

The nays were none.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Burke, Brown, Elliott, Gilchrist, Hixson, Hurst, King, Knox, Litter, Lindsey, McCormack, McKnight, O'Brien, Parker, Runyon, Sears, Stanton, Sweet and Thompson.

The bill passed and the title was agreed to.

Mr. Baylies, for select committee, reported back House File No. 96, "A bill for an Act apportioning the State of Iowa into representative districts," and recommended that the Senate amendments be concurred in. Report adopted.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fry, Fuller, Garrett, Galland, Glendenning, Green, Gose, Hildreth, Helm, Holdridge, Jeffries, Joy, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Magill, Meissner, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—66.

The nays were none.

Absent or not voting, Messrs. Bereman, Brown, Elliott, Finkbine, Gilchrist, Hale, Hixson, Horton, Hurst, Johnson, King, Knox, Litter, Merriam, Maxwell, Mills, McCormack, McKnight, O'Brien, Paulk, Russell of Jones, Runyon, Sears, Stiles, Sweet and Weare.

The bill passed, and the title was agreed to.

Mr. Cort asked for leave of absence for Mr. Fry. Granted.

On motion, the House adjourned.

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Two o'clock, P. M.

House met pursuant to adjournment.

Mr. Dorr moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Absentees, Messrs. Bromley, Burke, Cort, Elliott, Fuller, Hale, Hixson, Holdridge, Latham, Lindley, Lyons, Merriam, McNutt, Perry, Russell of Jones, Simpson, Stiles, Vinton, Wolf and White.

Mr. Horton moved that further proceedings under the call be dispensed with. Carried.

Mr. Moir, by leave, offered the following resolution, which was adopted.

*Resolved by the General Assembly, That the Secretary of State be requested to take charge of and forward to the officers and members of the 10th General Assembly, all mail matter coming to the Post Office at Des Moines after the adjournment of this General Assembly, including the Weekly newspapers of the City of Des Moines, published during the present week.*

Mr. Paulk, from Select Committee, by leave reported back House File No. 114, with the following amendment:

Strike out in Sec. 2 all after the word "Act" and insert the following: *Provided* that the agent employed to select said land, shall 1st present to the Auditor of State a full statement of the items constituting the claim of said agent, and that said Auditor shall be satisfied that said claim is legal and just, which on motion, was adopted.

Mr. Paulk moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fuller, Finkbine, Glendenning, Green, Goss, Helm, Horton, Jeffries, Joy, Johnson, Lathrop, Logan, Lindley, Lindsey, Merriam, Magill, Maxwell, Meissner, Milla, Moir, McMaken, McNutt, McCall, McKnight, O'Brien, Parker, Paulk, Pritchard, Potter, Russell of Jones, Russell of Washington, Stiles, Smith, Skiles, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—56.

The nays were Messrs. Cort, Christoph, Hildreth, Munsell, Richards and Sturgis—6.

Absent or not voting, Messrs. Berreman, Burke, Brown, Elliott, Fry, Garrett, Galland, Gilchrist, Hale, Hixson, Hurst, Holdridge, King, Knox, Latham, Littler, Lyons, McCormack, Nelson, Oliver, L'erry, Runyon, Sanderson, Sears, Simpson, Stanton, Spurrier, Sweet, Weare and White.

The bill passed and the title was agreed to.

Mr. Horton submitted the following report:

MR. SPEAKER:—The Committee on Enrolled Bills beg leave to report that they have examined House Files Nos. 87 and 147, find them correctly enrolled and present the same for your signature.

Have presented House Files Nos. 47, 127, 156, 169 and 176, to the Governor.

HORTON, Chairman.

Senate File No. 85, "A bill for an Act to provide for the compen-

sation of printers for publishing legal notices in certain cases," was taken up, and read a 1st and 2d time.

Mr. Paulk moved to amend by striking out the words "one dollar" and inserting the words "fifty cents." Lost.

Mr. Paulk moved to amend by striking out the word "twenty" and insert the word "ten," on which the yeas and nays were demanded and ordered resulting as follows:

The yeas were Messrs. Cort, Christoph, Day, Dorr, Fuller, Green, Jeffries, Joy, Merriam, Meissner, McKnight, Oliver, O'Brien, Paulk, Russell of Washington, Richards, Stiles, Spurrier, Weare and Wolf—20.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Campbell, Close, Clark, Darby, Davis, Elliott, Fenn, Finkbine, Galland, Glendenning, Gose, Hildreth, Helm, Horton, Holdridge, Johnson, Lathrop, Logan, Lindley, Lindsey, Lyons, Magill, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, Nelson, Parker, Pritchard, Potter, Russell of Jones, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Thompson, Van Sandt, Vinton, White and Mr. Speaker—52.

Absent or not voting, Messrs. Berreman, Brown, Carey, Carbee, Fry, Garrett, Gilchrist, Hale, Hixson, Hurst, King, Knox, Latham, Littler, McCall, McCormack, Perry, Runyon, Sears and Sweet.

The motion was lost.

Mr. Oliver moved to amend as follows:

Strike out in 2d Section "Tract of Real Estate advertised for sale" and insert "line of advertisement." Lost.

On motion, the bill was read a 3d time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burk, Carey, Close, Clark, Darby, Davis, Elliott, Fenn, Finkbine, Garrett, Galland, Glendenning, Gose, Hildreth, Helm, Horton, Holdridge, Joy, Johnson, Lathrop, Logan, Lindley, Lindsey, Lyons, Magill, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, Nelson, Parker, Pritchard, Potter, Sanderson, Simpson, Sturgis, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—55.

The nays were Messrs. Campbell, Carbee, Cort, Day, Dorr, Green, Jeffries, Merriam, Meissner, McKnight, Oliver, O'Brien, Paulk, Russell of Washington, Richards, Stiles and Weare—17.

Absent or not voting, Messrs. Berreman, Brown, Christoph, Fry, Fuller, Gilchrist, Hale, Hixson, Hurst, King, Knox, Latham, Littler, McCall, McCormack, Perry, Russell of Jones, Runyon, Sears and Sweet.

The bill passed and the title was agreed to.

Mr. Thompson, by leave, offered the following resolution :

WHEREAS, The Board of Education which convened in Des Moines December 2d, 1861, elected the Hon. Thomas H. Benton and the Hon. N. J. Rusch, Trustees of the State University ; AND WHEREAS, The said persons have been for some time past, and are now, in the service of the United States as commissioned officers, and have, by the accepting of said commissions, vacated their offices as such Trustees, as provided in Sec. 1, Chap. 54, of the Laws of the 9th General Assembly ;

*Be it therefore resolved,* By the General Assembly, that Edward W. Peet, of Polk county, be and is hereby appointed a Trustee of said University, in the place of the Hon. Thomas H. Benton, and that Ebenezer Cook, of Scott county, be and is hereby appointed a Trustee in room of the Hon. N. J. Rusch.

The resolution was adopted.

Mr. Johnson, by leave, called up Senate File No. 51, "A bill for an Act to amend Chap. 98, of the Revision of 1860, in relation to Homesteads."

Mr. Richards moved to lay the bill on the table. Carried.

Senate File No. 210, "A bill for an act relating to the offices of County Recorder and Treasurer, and providing for their separation," was taken up, with House amendments, in which the Senate refused to concur.

Mr. Moir moved that the House recede from their amendments. Carried.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Carbee, Cort, Christoph, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Galland, Glendenning, Green, Gose, Hildreth, Helm, Holdridge, Jeffries, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McCall, Parker, Paulk, Perry, Pritchard, Potter, Richards, Simpson, Sturgis, Stiles, Stanton, Skiles, Thompson, Van Sandt, Vinton, Weare, Wolf and White—54.

The nays were Messrs. Andrews of Keokuk, Burke, Campbell, Close, Clark, Day, Garrett, Joy, Johnson, Mills, McNutt, Nelson, Oliver, Russell of Washington, Sanderson, Smith, Spurrier and Mr. Speaker—18.

Absent or not voting, Messrs. Bereman, Brown, Fry, Gilchrist, Hale, Hixson, Horton, Hurst, King, Knox, Latham, Littler, Lindley, McCormack, McKnight, O'Brien, Russell of Jones, Runyon, Sears and Sweet.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER :—I am directed to inform the House that the Senate has passed Senate File No. 181, "A bill for an Act to legal-

ize certain acts of the Board of Mayor and Aldermen of the town of Fort Madison, making an appropriation for the payment of bounties to volunteers, and to authorize the levy and collection of a special tax to meet such appropriation."

And the following:

*Resolved, by the General Assembly of the State of Iowa, That the Adjutant General be directed to codify, with marginal references and index, the militia laws of the State, and to publish not more than 5,000 copies of the same in pamphlet form for the use of the Adjutant General in organizing the militia of the State.*

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

Senate File No. 181, "A bill for an Act to legalize the acts of the Mayor and Aldermen of the City of Fort Madison," was taken up and read a 1st and 2d time.

On motion, the rule was suspended, the bill read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Garrett, Galland, Glendenning, Green, Gose, Hildreth, Helm, Horton, Holdridge, Joy, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Oliver, Parker, Perry, Pritchard, Potter, Russell of Washington, Richards, Sanderson, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wear, Wolf, White and Mr. Speaker—63.

The nays were Mr. O'Brien—1.

Absent or not voting, Messrs. Bereman, Burke, Brown, Cort, Christoph, Fry, Finkbine, Gilchrist, Hale, Hixson, Hurst, Jeffries, Johnson, King, Knox, Latham, Lathrop, Littler, McCormack, McKnight, Nelson, Paulk, Russell of Jones, Runyon, Sears, Simpson, Sturgis and Sweet.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has passed the following bills: Senate File No. 243, "A bill for an Act to authorize the Governor to appoint Aide-de-camp."

Senate File No. 119, "A bill for an Act authorizing municipal authorities to discriminate in favor of farming lands within corporate limits in imposing taxes for city or town purposes."

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

Senate resolution relating to codifying and publishing Militia Laws, was taken up and concurred in.

Senate File No. 243, "A bill authorizing the Governor to appoint additional Aid-de-camps," was taken up. Read 1st and 2d time and on motion, the rule was suspended, the bill read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Close, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hixson, Helm, Horton, Holdridge, Joy, Johnson, Lathrop, Logan, Lindley, Magill, Maxwell, Mills, Munsell, Moir, McMaken, McCall, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—63.

The nays were Messrs. Christoph and Day—2.

Absent or not voting, Messrs. Bereman, Bromley, Burke, Brown, Cort, Fry, Gilchrist, Hale, Hildreth, Hurst, Jeffries, King, Knox, Latham, Littler, Lindsey, Lyons, Merriam, Meissner, McNutt, McCormack, McKnight, Paulk, Russell of Jones, Runyon, Sears and Sweet.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bill:

Senate File No. 239, "A bill for an Act to apportion the State into Senatorial Districts."

In which the concurrence of the House is respectfully asked.

W. F. DAVIS, Sec. of Senate.

Senate File No. 119, "A bill for an Act authorizing municipal authorities to discriminate in favor of farming lands within incorporated limits in imposing taxes for city or town purposes," was taken up. Read 1st and 2d time and on motion, was indefinitely postponed.

Senate File No. 239, "A bill for an Act to apportion the State into Senatorial Districts," was taken up. Read a 1st and 2d time.

On motion, the bill was read a 3d time and put upon its passage.

On the question "Shall the bill pass," the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr,

Elliott, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Hildreth, Helm, Horton, Holdridge, Jeffries, Joy, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—70.

The nays were none.

Absent or not voting, Messrs. Bereman, Burke, Brown, Fenn, Fry, Galland, Gilchrist, Hale, Hixson, Hurst, Johnson, King, Knox, Latham, Littler, McCormack, McKnight, Russell of Jones, Runyon, Sears, Skiles and Sweet.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER :—I am directed to inform the House that the Senate has passed the following bills :

House File No. 152, "A bill for an Act to enable incorporated towns and cities to acquire, hold, improve and dispose of lands for public squares, parks, commons and cemeteries," with amendments.

Senate File No. 107, "A bill for an Act authorizing the Governor to release land erroneously patented and approved to the State.

And Senate File No. 146, "A bill for an Act fixing the fiscal term for State institutions, when reports shall be made, and their distribution."

In which the concurrence of the House is respectfully asked.

W. F. DAVIS, Secretary of Senate.

Substitute for House File No. 152, "A bill for an Act to enable incorporated towns and cities to acquire, hold, improve and dispose of lands for public squares, parks, commons and cemeteries," with Senate amendments, was taken up.

Mr. Oliver moved that the House concur in the amendments. Lost.

Senate File No. 107, "A bill for an Act authorizing the Governor to release land erroneously patented and approved to the State," was taken up, read a first and second time, and, on motion, was laid on the table.

Senate File No. 146, "A bill for an Act fixing the fiscal term for State institutions, when reports shall be made, and their distribution," was taken up, read a first and second time.

On motion, the rule was suspended, the bill read a third time, and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows :



The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fuller, Glendenning, Green, Hildreth, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Lathrop, Logan, Lindley, Lyons, Merriam, Maxwell, Meissner, Munsell, Moir, McCall, McKnight, Nelson, Oliver, Parker, Paulk, Perry, Potter, Russell of Jones, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Stanton, Spurrier, Thompson, Van Sandt, Vinton, Wear, Wolf, White and Mr. Speaker—62.

The nays were none.

Absent or not voting, Messrs. Bereman, Burke, Brown, Elliott, Fry, Finkbine, Garrett, Galland, Gose, Gilchrist, Hale, Hixson, Hurst, King, Knox, Latham, Littler, Lindsey, Magill, Mills, McKen, McNutt, McCormack, O'Brien, Pritchard, Runyon, Sears, Smith, Skiles and Sweet.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has passed the following bills:

Senate File No. 151, "A bill for an act to provide for the better security and collection of debts due both State of Iowa or for the use or benefit of the State."

Senate File No. 227, "A bill for an Act in relation to enlistments in this State."

And has passed the House joint resolution asking for additional mail facilities, with the accompanying amendment.

And has concurred in the House amendment to Senate File No. 191, "A bill for an Act to amend Art. 8, of Chap. 67, of the Revision of 1860."

Senate File No. 191, "A bill for an act to amend Art. 3 of Chap. 67 of the Revision of 1860," and House File No. 73, "A bill for an Act authorizing the Trustees of the Iowa State Agricultural College and Farm to sell lands acquired, granted, donated or appropriated for the benefit of said College, and to make an investment of the proceeds thereof," with the accompanying amendments, in which the concurrence of the House is respectfully asked.

And has passed substitute for House Files Nos. 180 and 153, and Senate File No. 69, "A bill for an Act to amend Secs. 1704, 1707, 1708, 1741 and 1742, of the Revision of 1860, in relation to Agricultural Fairs," without amendment.

WM. F. DAVIS, Secretary of Senate.

Senate File No. 191, "A bill for an Act to amend Art. 8 of Chap. 67 of the Revision of 1860," was taken up. Read 1st and 2d time.

Mr. Helm moved to amend by striking out "July 4th, 1864," and inserting "Jan. 1st, 1865." Carried.

On motion, the rule was suspended, the bill read a 3d time, and put upon its passage.

On the question, "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Clark, Day, Darby, Davis, Dorr, Fenn, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Hale, Holdreth, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf, and Mr. Speaker—71.

The nays were none.

Absent or not voting, Messrs. Bereman, Burke, Brown, Close, Elliott, Fry, Galland, Gilchrist, Hixson, Hurst, King, Knox, Littler, McCormack, McKnight, O'Brien, Runyon, Sears, Sweet, Weare and White.

The bill passed and the title was agreed to.

Mr. Richards moved to reconsider the vote by which Senate File No. 198 was passed. Carried.

Mr. Paulk moved to reconsider the vote by which the bill was ordered to a 3d reading. Carried.

House File No. 73, "A bill for an Act authorizing the Trustees of the Iowa State Agricultural College and Farm to sell all lands acquired, granted, donated, or approporiated for the benefit of said College, and to make an investment of the proceeds thereof," with the Senate amendments, was taken up, and the amendments concurred in.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fuller, Finkbine, Garrett, Galland, Green, Gose, Horton, Hurst, Holdridge, Jeffries, Joy, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, Perry, Pritchard, Potter, Russell of Washington, Richards, Sanderson, Simpson, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—63.

The nays were none.

Absent or not voting, Messrs. Bereman, Buckham, Burke, Brown,

Elliott, Fry, Glendenning, Gilchrist, Hale, Hildreth, Hixson, Helm, Johnson, King, Knox, Latham, Littler, Mills, McCormack, McKnight, O'Brien, Parker, Paulk, Russell of Jones, Runyon, Sears, Sturgis, Sweet and Wear. e.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has passed Senate File No. 223, "A bill for an act to amend Sec. 927, of the Revision of 1860, and providing for appointing agents in certain cases."

And refuses to concur in the House amendment to Senate substitute for House File No. 162, "A bill for an Act entitled an act to legalize the levy and collection of certain taxes in certain cities and towns."

And has adopted the report of the committee of conference upon Senate File No. 198.

And has adopted the accompanying joint resolution in relation to the care and control of the property of the State.

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

Substitute for House File No. 162, "A bill for an Act to legalize the levy and collection of certain taxes in certain cities and towns," with Senate amendments, was taken up, read a first and second time, and, on motion, the rule was suspended, the bill read third time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Buckham, Baylies, Close, Day, Dorr, Elliott, Fenn, Finkbine, Galland, Glendenning, Green, Goss, Helm, Holdridge, Jeffries, Joy, Johnson, Logan, Lindley, Lindsey, Lyons, Merriam, Mills, Munsell, Moir, McMaken, McCall, Parker, Pritchard, Potter, Sanderson, Sturgis, Stiles, Smith, Van Sandt, Vinton, Wolf and White—40.

The nays were Messrs. Andrews of Keokuk, Bell, Carey, Campbell, Carbee, Cort, Clark, Davis, Garrett, Latham, Meissner, McNutt, Nelson, O'Brien, Russell of Jones, Russell of Washington, Richards, Stanton, Skiles, Thompson and Mr. Speaker—20.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Burke, Brown, Christoph, Darby, Fry, Fuller, Gilchrist, Hale, Hildreth, Hixson, Horton, Hurst, King, Knox, Lathrop, Littler, Magill, Maxwell, McCormack, McKnight, Oliver, Paulk, Perry Runyon, Sears, Simpson, Spurrier, Sweet and Wear. e.

The bill did not pass.

Senate File No. 219, "A bill for an Act for the relief of Collins, Wm. L. Thomas and others," was taken up. Read a first and second time.

On motion, the rule was suspended, the bill was read a third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hildreth, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Sanderson, Sturgis, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—67.

The nays were Messrs. Elliott and Richards—2.

Absent or not voting, Messrs. Bereman, Burke, Brown, Cort, Christoph, Fann, Fry, Gilchrist, Hixson, Hurst, King, Knox, Littler, Maxwell, McCormack, McKnight, Russell of Washington, Ranyon, Sears, Simpson, Stiles, Sweet and White.

The bill passed and the title was agreed to.

Senate File No. 198, "A bill to authorize the construction of railroad bridges across the Mississippi and Missouri rivers," was taken up.

The following amendment was offered by Mr. Paulk, and adopted:

SEC. 11. No bridge erected, under and by virtue of the laws of this State, over or across the Mississippi or Missouri rivers, shall be so constructed as in any manner, or to any degree or extent, to interfere with or damage the navigation of said streams; and if any such bridge erected shall so interfere with, damage or endanger the navigation thereof, any District Court of this State, within whose district such bridge, or any part thereof, is situate, shall have power to abate and destroy the same as a nuisance, or to order such change in the construction thereof, as said court may deem necessary to prevent such bridge from interfering with, damaging, injuring or endangering the navigation of said rivers, or either of them.

Mr. Stiles moved to indefinitely postpone the bill.

Mr. ——— moved that the bill be read a 3d time and put upon its passage.

Mr. Andrews of Keokuk, moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The question recurring on the motion to read the bill a 3d time and put upon its passage, it was decided in the affirmative.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Bell, Buckham, Carbee, Cort, Christoph, Darby, Davis, Dorr, Fenn, Fuller, Galland, Green, Hildreth, Joy, Latham, Lindley, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McNutt, McCall, Neison, Oliver, O'Brien, Parker, Paulk, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Simpson, Sturgis, Stanton, Smith, Thompson, Vinton, Weare, White and Mr. Speaker—46.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Baylies, Carey, Campbell, Close, Clark, Day, Elliott, Finkbine, Garrett, Glendenning, Gose, Hale, Helm, Holdridge, Jeffries, Johnson, Lindsey, Mills, Sanderson, Stiles, Skiles, Spurrier and Wolf—24.

Absent or not voting, Messrs. Bereman, Burke, Brown, Fry, Gilchrist, Hixson, Hurst, King, Knox, Lathrop, Logan, Littler, McCormack, McKnight, Perry, Runyon, Sears, Sweet and Van Sandt.

The bill did not pass.

Mr. Moir moved that the vote by which the bill was lost be reconsidered. Carried.

Mr. Moir moved to adjourn until 7 o'clock this evening. Lost.

Mr. Oliver moved a call of the House. Lost.

Mr. Russell of Jones, moved that when the House adjourn that it be until 7½ o'clock.

Mr. Hale moved to amend by striking out "7½" and inserting "8." Lost.

The question recurring on the motion of Mr. Russell, it was carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Bell, Buckham, Carbee, Cort, Christoph, Dorr, Fenn, Fuller, Galland, Glendenning, Green, Hildreth, Hixson, Helm, Joy, Latham, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Munsell, Moir, McMaken, McNutt, McCall, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Simpson, Sturgis, Stanton, Smith, Thompson, Vinton, Weare, White and Mr. Speaker—49.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Baylies, Carey, Campbell, Close, Clark, Day, Davis, Elliott, Finkbine, Garrett, Gose, Hale, Horton, Holdridge, Jeffries, Johnson, Lathrop, Lindley, Mills, Sanderson, Stiles, Skiles and Wolf—25.

Absent or not voting, Messrs. Bereman, Burke, Brown, Darby, Fry, Gilchrist, Hurst, King, Knox, Logan, Littler, McCormack, McKnight, Runyon, Sears, Spurrier, Sweet, and Van Sandt.

The bill passed, and the title was agreed to.

On motion, the House adjourned.

7½ o'clock P. M.

House met pursuant to adjournment.

Mr. Stiles by leave, made the following report, and moved its adoption.

The committee on the suppression of intemperance to whom has been referred Senate File No. 232, "A bill for an Act to prevent disturbance and drinking on all election days," have had the same under consideration, and instructed me to report the same back with the recommendation that it lie upon the table.

EDWARD H. STILES, Chairman.

On the question "Shall the report be adopted?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Carey, Carbee, Cort, Christoph, Davis, Finkbine, Galland, Horton, Joy, Lathrop, Merriam, Magill, Meissner, Mills, Moir, McMaken, McNutt, Nelson, Oliver, O'Brien, Paulk, Pritchard, Potter, Richards, Sanderson, Stiles and Weare—28.

The nays were Messrs. Bruce, Bell, Buckham, Baylies, Close, Clark, Darby, Dorr, Elliott, Fenn, Fuller, Garrett, Glendenning, Green, Hildreth, Jeffries, Latham, Logan, Maxwell, Perry, Russell of Washington, Smith, Spurrier, Thompson, Van Sandt, Vinton and Mr. Speaker—27.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Bromley, Burke, Brown, Campbell, Day, Fry, Gose, Gilchrist, Hale, Hixson, Helm, Hurst, Holdridge, Johnson, King, Knox, Littler, Lindley, Lindsey, Lyons, Munsell, McCall, McCormack, McKnight, Parker, Russell of Jones, Runyon, Sears, Simpson, Sturgis, Stanton, Skiles, Sweet, Wolf and White.

The motion prevailed.

House File No. 177, "A bill for an Act in relation to costs and expenses in the conduct of certain suits," was taken up, and on motion, the bill was read a 3d time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The Yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Carey, Carbee, Cort, Christoph, Close, Clark, Davis, Dorr, Elliott, Fuller, Finkbine, Galland, Glendenning, Gose, Hale, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Lathrop, Logan, Lyons, Merriam, Magill, Meissner, Mills, Moir, McMaken, McCall, Oliver, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Smith, Spurrier, Thompson, Van Sandt, Vinton, White and Mr. Speaker—55.

The nays were Messrs. Bell, Day, Fenn, Garrett, Hildreth and Nelson—8.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Burke, Brown, Campbell, Darby, Fry, Green, Gilchrist, Hixson, Hurst, King, Knox, Latham, Littler, Lindley, Lindsey, Maxwell, Munsell, McNutt, McCormack, McKnight, Paulk, Russell of Jones, Runyon, Sears, Stanton, Skiles, Sweet, Wearé and Wolf.

The bill passed and the title was agreed to.

House File No. 160, "A bill for an Act respecting public administrations," was taken up.

On motion, the bill was indefinitely postponed.

House File No. 131, "A bill for an Act to regulate the receiving and shipment of freight by Railroad Companies, and the posting of Tariff of charges," was taken up, and on motion, was indefinitely postponed.

Senate File No. 187, "A bill for an Act to direct the Adj. General to make report Jan. 1st, 1865, and to provide for publishing and distributing the same," was taken up.

Mr. Hildreth moved to amend by inserting "that one copy be sent to the editor of each newspaper published in the State. Lost.

Mr. Andrews of Keokuk, moved that the bill be read a 3d time and put upon its passage. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carbee, Christoph, Close, Clark, Day, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garret, Glendenning, Green, Hale, Helm, Ho dridge, Joy, Johnson, Latham, Lathrop, Logan, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, Parker, Potter, Russell of Washington, Sanderson, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—57.

The nays were Messrs. Carey, Cort, Hildreth and Richards—4.

Absent or not voting, Messrs. Bereman, Burke, Brown, Campbell, Darby, Fry, Galland, Gose, Gilchrist, Hixson, Horton, Hurst, Jeffries, King, Knox, Littler, Lindley, Lindsay, McCormack, O'Brien, Paulk, Perry, Pritchard, Russell of Jones, Runyon, Sears, Simpson, Sturgis, Stiles, Sweet and Wearé.

The bill passed and the title was agreed to.

Substitute for Senate File No. 208, "A bill for an Act to provide for publishing general laws in certain German newspapers," was taken up, with House substitute.

Mr. Hildreth moved that the substitute be adopted.

On motion, the whole subject was laid on the table.

Mr. Stiles moved to reconsider the vote just taken.

Mr. Nelson moved to lay the motion on the table, on which question the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Bell, Buckham, Close, Day, Davis, Dorr, Fuller, Finkbine, Garrett, Glendenning, Green, Gose, Hildreth, Horton, Logan, Maxwell, Munsell, Moir, Nelson, Oliver, and Russell of Washington—22.

The nays were Messrs. Andrews of Decatur, Bruce, Bromley, Baylies, Carey, Carbee, Cort, Clark, Elliott, Galland, Hale, Holdridge, Joy, Johnson, Latham, Lathrop, Lyons, Merriam, Magill, Meissner, Mills, McMaken, McNutt, McCall, McKnight, O'Brien, Paulk, Pritchard, Potter, Russell of Jones, Richards, Runyon, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—47.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Burke, Brown, Campbell, Christoph, Darby, Fenn, Fry, Gilchrist, Hixson, Helm, Hurst, Jeffries, King, Knox, Littler, Lindley, Lindsey, McCormack, Lerry, Sears, and Sweet.

The motion did not prevail.

The question recurring on the motion to reconsider, it was carried.

The question recurring on the motion to adopt the substitute, it was lost.

On motion, the original bill was read a 3d time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Clark, Day, Darby, Davis, Dorr, Elliott, Finkbine, Garrett, Galland, Glendenning, Green, Hale, Helm, Horton, Hurst, Holdridge, Joy, Johnson, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Potter, Russell of Jones, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—69.

The nays were Messrs. Andrews of Keokuk, Gose and Hildreth—3.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Burke, Brown, Close, Fenn, Fry, Fuller, Gilchrist, Hixson, Jeffries, King, Knox, Littler, McCormack, Perry, Pritchard, Runyon, Sears and Sweet.

The bill passed and the title was agreed to.

Mr. Horton made the following report:

MR. SPEAKER:—The Committee on Enrolled Bills beg leave to report that they have examined House Files Nos. 86, 96 and 130, and Senate Files No. 175 and 243, find them correctly enrolled, and present the same for your signature.

Have also presented House Files No. 87 and 147 to the Governor.

HORTON, Chairman.



Senate File No. 174, "A bill for an Act to restrain persons from carelessly driving or leading stock across bridges maintained at public cost," was taken up, with amendments offered by committee.

On motion, the amendments were adopted.

Mr. Merriam moved to lay the bill on the table. Carried.

House File No. 174, "A bill for an Act to amend Sec. 1079 of Chap. 51 of the Revision of 1860," was taken up, and on motion, the bill was read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Baylies, Carey, Campbell, Carbee, Close, Clark, Darby, Davis, Dorr, Elliott, Finkbine, Garrett, Galland, Glendenning, Green, Helm, Hurst, Holdridge, Joy, Johnson, Latham, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, Parker, Paulk, Potter, Russell of Jones, Russell of Washington, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Spurrier, Van Sandt, Vinton, Wolf, White and Mr. Speaker—59.

The nays were Messrs. Bell, Cort, Christoph, Day, Fenn, Hildreth, Helm, Lindley, Richards, Skiles and Thompson—10.

Absent or not voting, Messrs. Bereman, Buckham, Burke, Brown, Fry, Fuller, Gose, Gilchrist, Hale, Hixson, Horton, Jeffries, King, Knox, Littler, McCormack, O'Brien, Perry, Pritchard, Runyon, Sears, Sweet and Weare.

The bill passed and the title was agreed to.

House File No. 175, "A bill for an Act fixing the compensation of township clerks in certain cases," was taken up, with a substitute bill.

On motion, the substitute bill was adopted.

On motion, the bill was read a third time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Helm, Horton, Holdridge, Joy, Johnson, Latham, Lathrop, Logan, Lindsey, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Parker, Potter, Russell of Jones, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—67.

The nays were Messrs. Cort, Christoph, Hildreth and Lyons—4.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Burke, Brown, Fry, Gilchrist, Hale, Hixson, Hurst, Jeffries, King,

Knox, Littler, Lindley, McCormack, Paulk, Perry, Pritchard, Runyon, Sears and Sweet.

The bill passed and the title was agreed to.

Mr. Moir, by leave, introduced substitute for Senate File No. 237, "A bill for an Act to provide for the settlement of the claims of the State against Winterbotham & Jones."

Read a first and second time, and, on motion, the substitute was adopted.

On motion, the bill was read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Bruce, Bromley, Bell, Buckham, Baylies, Campbell, Carbee, Close, Clark, Darby, Davis, Dorr, Fenn, Fuller, Finkbine, Garrett, Glendenning, Green, Hildreth, Hixson, Holdridge, Joy, Johnson, Latham, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Potter, Russell of Jones, Russell of Washington, Richards, Sanderson, Simpson, Sturgis, Stiles, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—68.

The nays were Messrs. Andrews of Decatur, Carey, Cort, Christoph, Day and Galland—6.

Absent or not voting, Messrs. Bereman, Burke, Brown, Elliott, Fry, Gose, Gilchrist, Hale, Helm, Horton, Hurst, Jeffries, King, Knox, Littler, Lindley, McCormack, Perry, Pritchard, Runyon, Sears, Stanton and Sweet.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate refuses to concur in the House amendment to Sec. 11, of Senate File No. 198, "A bill for an Act to authorize the construction of railroad bridges across the Mississippi and Missouri rivers."

W. F. DAVIS, Secretary of Senate.

Senate File No. 198, "A bill for an Act to authorize the construction of railroad bridges across the Mississippi and Missouri rivers," was taken up, with the amendments the Senate refused to concur in.

Mr. Paulk moved that the House do not recede. Carried.

Mr. Paulk moved that a committee of conference be appointed. Carried.

The Speaker appointed as said committee Messrs. Paulk and Richards.

Mr. Joy moved to reconsider the vote by which Senate substitute for House File No. 162, "A bill for an Act entitled an act to legal-

ize the levy and collection of certain taxes within the corporate limits of Sioux City," was lost, be reconsidered. Carried.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Buckham, Baylies, Darby, Davis, Dorr, Fuller, Finkbine, Galland, Glendenning, Green, Gose, Hixson, Helm, Holdridge, Joy, Johnson, Latham, Lathrop, Logan, Merriam, Magill, Maxwell, Meissner, Mills, McMaken, McKnight, Nelson, Oliver, Parker, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Sanderson, Sturgis, Stiles, Smith, Skiles, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—47.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bell, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Fenn, Hildreth, Lindsey, Lyons, Munsell, McNutt, McCall, Perry, Simpson, Stanton, and Spurrier—22.

Absent or not voting, Messrs. Bereman, Burke, Brown, Elliott, Fry, Garrett, Gilchrist, Hale, Horton, Hurst, Jeffries, King, Knox, Littler, Lindley, Moir, McCormack, O'Brien, Paulk, Runyon, Sears, Sweet and Thompson.

The bill passed, and the title was agreed to.

Mr. Galland submitted the following report:

The Standing Committee on Sanitary Affairs to whom was referred a communication and accompanying documents from certain Iowa Volunteers in the field, have had the same under consideration and have instructed me to report the same back to this house, and as we have been unable to digest "the accompanying documents," and having "no teeth for to eat the hard tack, so we have to left the hard tack be;" and as we are of the opinion that a further consideration of the subject is calculated to discourage enlistments—therefore we recommend that the whole cake be preserved in the Historical Society, with many thanks to the kind and brave donors.

GALLAND, Chairman.

Adopted.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the following bills:

Senate File No. 221, "A bill for an Act to legalize the official acts of certain Notaries public.

Senate File No. 214, "A bill for an Act to amend Sec. 1314 of the Revision of 1860, granting right of way to Railroad Companies."

Senate File No. 220, "A bill for an Act to amend Chap. 10 of the acts of the Extra Session of the 8th General Assembly, in relation to the Auditing Board."

In which the concurrence of the House is respectfully asked.

W. F. DAVIS, Sec. Senate.

Senate File No. 221; "A bill for an Act to legalize the official acts of certain Notaries Public," was taken up. Read 1st and 2d time.

Mr. Finkbine offered the following amendment:

"And all the official acts of all other Notaries Public are hereby declared legal and valid."

Mr. McNutt offered the following amendment:

SEC. 9. *Be it further enacted*, That the official acts of D. G. Richmond of Muscatine County, Iowa, done and performed by him after the expiration of his commission be and they are hereby legalized and declared as valid and binding as if his commission had not expired. Carried.

Mr. Pritchard moved to amend as follows:

SEC. 10. *Be it further enacted*, That the official acts of James Hall of Howard County, who transacted business as a Notary Public after the expiration of his commission, are hereby legalized. Carried.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I herewith return Senate Files Nos. 198 and 233, as requested by the House of Representatives.

W. F. DAVIS, Secretary of Senate.

The question recurring on the motion of Mr. Finkbine, it was lost.

On motion, the bill was read a 3d time and put upon its passage.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bromley, Bell, Buckham, Baylies, Carey, Carbee, Clark, Day, Dorr, Fuller, Finkbine, Galland, Glendenning, Green, Hale, Hixson, Helm, Holdridge, Johnson, Latham, Lathrop, Logan, Lindsey, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, McCall, Oliver, Parker, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare and Mr. Speaker—53.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Campbell, Cort, Christoph Darby, Elliott, Garrett, Hildreth, Lyons, Meissner, Nelson, O'Brien, Wolf and White—15.

Absent or not voting, Messrs. Bereman, Bruce, Burke, Brown, Close, Davis, Fenn, Fry, Gose, Gilchrist, Horton, Hurst, Jeffries, Joy, King, Knox, Littler, Lindley, McCormack, McKnight, Paulk, Richards, Runyon, and Sears.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has refused to recede from its amendment to House File No.

152, "A bill for an Act to enable incorporated towns and cities to acquire, hold, improve and dispose of lands for public squares, parks, commons and cemeteries."

And has rejected House File No. 157, "A bill for an Act permitting real estate to be sold at tax sale for less than taxes, interest and costs due thereon, in certain cases."

And recedes from its amendment to Sec. 8, of House File No. 46, "A bill for an Act to provide for the loan of the permanent school fund, and fixing the rate of interest thereon, and limiting the price at which school lands may be sold, and for other purposes."

House File No. 80, "A bill for an Act entitled an act providing for auditing the account of J. L. Mason, of Bentonsport, Iowa," without amendment.

Senate File No. 169, "A bill for an Act to provide for the publication and distribution of the laws of the 10th General Assembly. In which the concurrence of the House is respectfully asked.

W. F. DAVIS, Secretary of Senate.

Senate File No. 214, "A bill for an act to amend Sec. 1314, of the Revision of 1860, granting the right of way to railroad companies," was taken up, read a first and second time, and, on motion, the rule was suspended, the bill read a third time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bromley, Bell, Buckham, Baylies, Carey, Carbee, Cort, Close, Darby, Fuller, Galland, Glendenning, Green, Hale, Hixson, Holdridge, Latham, Lindsey, Merriam, Magill, Maxwell, Meissner, Moir, McCall, Oliver, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Jones, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Vinton, Wolt and Mr. Speaker—42.

The nays were Messrs. Bruce, Campbell, Christoph, Clark, Day, Dorr, Elliott, Finkbine, Gose, Hildreth, Johnson, Logan, Lyons, Mills, Munsell, Sanderson, Spurrier, Thompson, Weare and White—20.

Absent or not voting, Messrs. Bereman, Burke, Brown, Davis, Fenn, Fry, Garrett, Gilchrist, Helm, Horton, Hurst, Jeffries, Joy, King, Knox, Lathrop, Littler, Lindley, McMaken, McNutt, McCormack, McKnight, Nelson, Paulk, Russell of Washington, Richards, Runyon, Sears, Sweet and Van Sandt.

The bill did not pass.

Mr. Finkbine moved a call of the House, which was seconded.

The Clerk proceeded to call the roll.

Absent, Mr. Jeffries.

Mr. Latham moved that further proceedings under the call be dispensed with. Lost.

Mr. Close moved to adjourn. Lost.

Mr. Hale moved that further proceedings under the call be dispensed with. Carried.

Senate File No. 220, "A bill for an Act to amend Chap. 10, of the acts of the extra session of the 8th General Assembly, in relation to the Auditing Board," was taken up. Read a first and second time.

On motion, the rule was suspended, the bill read a 3d time and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Buckham, Baylies, Burke, Carey, Close, Clark, Day, Darby, Dorr, Elliott, Fenn, Fuller, Finkbine, Galland, Glendenning, Green, Hale, Hildreth, Hixson, Helm, Horton, Holdridge, Joy, Johnson, Latham, Lathrop, Logan, Lindley, Lindsey, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, McCall, Oliver, Parker, Perry, Potter, Russell of Jones, Russell of Washington, Sanderson, Simpson, Sturgis, Stiles, Stanton, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, White and Mr. Speaker—61.

The nays were Messrs. Campbell, Carbee, Cort, Davis, Garrett, Gose, Lyons, Meissner, McKnight, Nelson, O'Brien, Pritchard, Smith and Wolf—14.

Absent or not voting, Messrs. Bereman, Bell, Brown, Christoph, Fry, Gilchrist, Hurst, Jeffries, King, Knox, Littler, McCormack, Paulk, Richards, Runyon, Sears and Sweet.

The bill passed and the title was agreed to.

Senate File No. 169, "A bill for an Act to provide for the publication and distribution of the laws of the 10th General Assembly of the State of Iowa," was taken up. Read 1st and 2d time.

On motion, the rule was suspended, the bill read a 3d time and put upon its passage.

On the question "Shall the bill pass," the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Finkbine, Galland, Glendenning, Green, Gose, Hale, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Latham, Lathrop, Logan, Lindley, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Parker, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf and Mr. Speaker—69.

The nays were Messrs. Campbell, Elliott, Fuller, Garrett, and Hildreth—5

Absent or not voting, Messrs. Bereman, Brown, Fry, Gilchrist, Hurst, King, Knox, Littler, Lindsey, Munsell, McCormack, Paulk, Richards, Runyon, Sears, Sweet, Weare and White.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has rejected House File No. 144, "A bill for an Act for making further appropriations for the selection and platting of the Agricultural College lands"

And that Senators Foote and Henderson have been appointed as the Committee of Conference on Senate File No. 198, on the part of the Senate.

W. F. DAVIS, Sec. of Senate.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has passed the following bills: Senate File No. 229, "A bill for an Act to provide for issuing State Bonds in all cases of indebtedness on the part of the State, to the permanent School Fund," and for other purposes.

Senate File No. 141, "A bill for an Act to amend Chap. 45 of the Revision of 1860, in relation to revenue.

Senate File No. 172, "A bill for an Act supplemental and amendatory to Chap. 84 of the acts of the regular session of the 9th General Assembly of the State of Iowa, being an act to prevent fraud in warehousemen and others."

In which the concurrence of the House is respectfully asked.

W. F. DAVIS, Sec. of Senate.

Senate File No. 229, "A bill for an Act to provide for issuing State Bonds in all cases of indebtedness on the part of the State, to the permanent School Fund," and for other purposes, was taken up. Read 1st and 2d time.

On motion, the bill was read a 3d time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Campbell, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hildreth, Hixson, Helm, Horton, Jeffries, Joy, Johnson, Latham, Lathrop, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Runyon, Sanderson,

Sturgis, Stiles, Stanton, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—73.

The nays were Messrs. Burke, Parker and Paulk—3.

Absent or not voting, Messrs. Bereman, Brown, Fry, Gilchrist, Hurst, Holdridge, King, Knox, Littler, Moir, McCormack, Richards, Sears, Simpson, Smith, and Sweet.

The bill passed and the title was agreed to.

Mr. Paulk, from committee of conference, by leave, made the following report :

The undersigned, a committee of conference on the part of the House, beg leave to report that they have conferred with a similar committee on the part of the Senate, and duly considered the eleventh section of the bill, and have unanimously agreed to recommend the following as a substitute for said section :

SEC. 11. No bridge erected under and by virtue of this act or of any law of this State, shall be so located or constructed as unnecessarily to impede, injure or obstruct the navigation of either of said rivers.

C. PAULK,  
B. B. RICHARDS.

The report was adopted.

Mr. Russell of Jones moved that the bill be read a 3d time and put upon its passage. Carried.

On the question, " Shall the Bill pass ?" the yeas and nays were as follows :

The yeas were Messrs. Bruce, Bromley, Bell, Burke, Carbee, Cort, Christoph, Close, Darby, Dorr, Fenn, Fuller, Finckbine, Garrett, Galland, Green, Hildreth, Hixson, Helm, Horton, Joy, Lathrop, Logan, Lyons, Merriam, Magill, Maxwell, Munsell, Moir, McMaken, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Simpson, Sturgis, Stanton, Smith, Skiles, Thompson, Vinton, Weare, White and Mr. Speaker—51.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Baylies, Carey, Clark, Day, Davis, Elliott, Glendenning, Gose, Hale, Holdridge, Jeffries, Johnson, Lindley, Lindsey, Mills, McKnight, Sanderson, Stiles and Wolf—21.

Absent or not voting, Messrs. Bereman, Buckham, Brown, Campbell, Fry, Gilchrist, Hurst, King, Knox, Latham, Littler, Meissner, McNutt, McCall, McCormack, Runyon, Sears, Spurrier, Sweet and Van Sandt.

The bill passed and the title was agreed to.

Senate File No. 141, "A bill for an Act to amend Chap. 45, of the Revision of 1860, in relation to revenue," was taken up. Read a first and second time.

On motion, the rule was suspended, the bill was read a third time, and put upon its passage.



On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Carbee, Cort, Christoph, Close, Clark, Day, Darby, Davis, Dorr, Fenn, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hildreth, Hixson, Helm, Holdridge, Jeffries, Joy, Johnson, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, O'Brien, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Runyon, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton and Mr. Speaker—68.

The nays were Messrs. Elliott, Lathrop, Richards and Weare—4.

Absent or not voting, Messrs. Bereman, Burke, Brown, Campbell, Fry, Gilchrist, Horton, Hurst, King, Knox, Latham, Logan, Littler, Lindley, McCormack, Russell of Washington, Sears, Sweet, Wolf and White.

The bill passed and the title was agreed to.

Senate File No. 172, "A bill for an Act supplemental and amendatory to Chap. 84 of the acts of the regular session of the 9th General Assembly of the State of Iowa, being an act to prevent fraud in warehouse-men and others," was taken up. Read a first and second time.

On motion, the rule was suspended, the bill read a third time, and put upon its passage.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Burke, Carey, Campbell, Carbee, Cort, Clark, Darby, Davis, Elliott, Fenn, Fuller, Finkbine, Garrett, Galland, Glendenning, Gose, Hale, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Latham, Logan, Lindley, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, McCall, McKnight, Nelson, Oliver, Parker, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Sanderson, Sturgis, Stiles, Stanton, Smith, Spurrier, Thompson, Van Sandt, Vinton, White and Mr. Speaker—66.

The nays were Messrs. Christoph, Close, Day, Dorr, Green, Lathrop, O'Brien, Paulk and Wolf—9.

Absent or not voting, Messrs. Bereman, Brown, Fry, Gilchrist, Hildreth, Hurst, King, Knox, Littler, McCormack, Richards, Runyon, Sears, Simpson, Skiles, Sweet and Weare.

The bill passed and the title was agreed to.

Substitute for House File No. 152, "A bill for an Act to enable incorporated towns and cities to acquire, hold, improve and dispose

of lands for public squares, parks, commons and cemeteries," with Senate amendments, was taken up.

On motion, amendments concurred in.

On the question, "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Bell, Baylies, Christoph, Close, Clark, Darby, Davis, Dorr, Elliott, Fuller, Finkbine, Galland, Glendenning, Green, Hildreth, Hixson, Horton, Holdridge, Jeffries, Joy, Latham, Logan, Lindsey, Lyons, Merriam, Magill, Meissner, Mills, Munsell, Morr, McMaken, McNutt, McCall, Nelson, Oliver, Parker, Paulk, Perry, Potter, Russell of Jones, Russell of Washington, Sanderson, Sturgis, Stiles, Stanton, Skiles, Spurrier, Thompson, Van Sandt, Weare and Mr. Speaker—58.

The nays were Messrs. Andrews of Keokuk, Buckham, Burke, Carey, Cort, Fenn, Gose, Hale, Helm, Lathrop, Lindley, Maxwell, O'Brien, Pritchard, Richards, Smith, Vinton, Wolf and White—20.

Absent or not voting, Messrs. Andrews of Decatur, Bereman, Brown, Campbell, Carbee, Fry, Garrett, Gilchrist, Hurst, Johnson, King, Knox, Littler, McCormack, McKnight, Runyon, Sears, Simpson and Sweet.

The bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has concurred in the House resolution, directing the Secretary of State to forward the mail matter of the present General Assembly.

And has passed House substitute for Senate File No. 237, "A bill for an Act to provide for the settlement of the claims of the State against Winterbotham & Jones," without amendment.

And has concurred in the House amendment to Senate File No. 221, "A bill for an Act to legalize the official acts of certain Notaries Public."

And has indefinitely postponed substitute for Senate Files Nos. 25 and 15, "A bill for an Act further providing for the election of certain officers, and for the filling of vacancies."

The Senate has also passed the following joint resolution, in relation to the claim of S. T. Pierce, and Senate File No. 207, "A bill for an Act supplemental to Chap. 15, of the Revision of 1860."

In which the concurrence of the House is respectfully asked.

W. F. DAVIS, Sec. of Senate.

House File No. 46, "A bill for an Act to provide for the loan of the permanent School Fund, and fixing the rate of interest thereon, and limiting the price at which School Lands may be sold," and for other purposes, was taken up.

On motion, the bill was read a 3d time and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carey, Carbee, Cort, Christoph, Close, Clark, Darby, Davis, Dorr, Elliott, Fenn, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hildreth, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Latham, Lathrop, Logan, Lindley, Lindsay, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McMaken, McNutt, McCall, Oliver, O'Brien, Parker, Perry, Potter, Russell of Jones, Russell of Washington, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Wolf, White and Mr. Speaker—68.

The nays were Messrs. Burke, Day, Paulk and Pritchard—4.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Brown, Campbell, Fry, Gilchrist, Hurst, Johnson, King, Knox, Littler, Meissner, McCormack, McKnight, Nelson, Richards, Ranyon, Sears, Sweet and Weare.

The bill passed and the title was agreed to.

The Joint Resolution relating to the claim of S. T. Pierce, was taken up, and on motion, was concurred in.

Senate File No. 207, "A bill for an Act supplemental to Chap. 15 of the Revision of 1860," was taken up. Read 1st and 2d time.

On motion, the rule was suspended, the bill read a 3d time and put upon its passage.

On the question "Shall the Bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carbee, Close, Clark, Darby, Davis, Elliott, Fuller, Finkbine, Garrett, Galland, Green, Gose, Hixson, Helm, Joy, Latham, Lathrop, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Mills, Munsell, Moir, McNutt, McCall, Oliver, O'Brien, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—55.

The nays were Messrs. Cort, Christoph, McKnight, Paulk and Richards—5.

Absent or not voting, Messrs. Bereman, Burke, Brown, Carey, Campbell, Day, Dorr, Fenn, Fry, Glendenning, Gilchrist, Hale, Hildreth, Horton, Hurst, Holdridge, Jeffries, Johnson, King, Knox, Littler, Lindley, Meissner, McMaken, McCormack, Nelson, Parker, Ranyon, Sanderson, Sears, Simpson and Sweet.

The bill passed and the title was agreed to.

Mr. Finkbine moved a call of the House, which was seconded.

Russell of Jones, moved to adjourn until 12½ o'clock. Carried.

TUESDAY, MARCH 29TH, 12½ O'CLOCK, A. M.

House met pursuant to adjournment.

Mr. Moir offered the following resolution, which was adopted.

*Resolved*, That the profound thanks of this House are hereby unanimously tendered to the fair ladies of the City of Des Moines for the sumptuous repast with which they have furnished us to-night, and that we tender to them our lasting gratitude, and most distinguished consideration.

MOIR, of Hardin.

Mr. Russell of Jones, moved to dispense with the reading of the Journal this morning. Carried.

Mr. Wolf, by leave, submitted the following report, which on motion was laid on the table.

The Committee on Constitutional Amendments to whom was referred a resolution in relation to amending the Constitution, have had the same under consideration, and a majority of the committee have instructed me to report the same back without recommendation.

WOLF, Chairman.

MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has passed the House Joint Resolution in reference to the accounts of Monona County, with the following amendment: "And the Attorney General is directed to proceed to collect the sum paid to Charles Foster upon the order of John Pattee, Auditor of State, from the said Foster, or from the said Pattee and his securities."

And has passed House File No. 116, "A bill for an act for the transfer of Real Estate, to regulate the assessment thereof and facilitate the collection of revenue," with the accompanying amendments.

In which the concurrence of the House is respectfully asked.

WM. F. DAVIS, Secretary of Senate.

Mr. Horton made the following report:

MR. SPEAKER:—The Committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 85, 181, 187, 219, 220, 241 and 146, and House Files Nos. 46, 73 and 165, find them correctly enrolled, and present the same for your signature.

And have presented House Files Nos. 87, 147 and 130, to the Governor.

HORTON, Chairman.

The Senate amendments to Joint Resolution relating to accounts of Monona County, were taken up and concurred in.

Mr. Paulk moved to reconsider the vote just taken.

Mr. Hale moved to lay the motion on the table. Carried.

House File No. 116, "A bill for an Act for transfer of Real Estate, to regulate the assessment thereof, and facilitate the collection of revenue," with Senate amendments, was taken up.

Mr. Oliver moved that the bill be laid on the table. Carried.

Mr. Russell of Jones, moved that the vote just taken be reconsidered. Lost.

Mr. Vinton offered the following resolution :

*Resolved*, That in the opinion of the members of the House of Representatives, the sum of seventy-five dollars per month, inclusive of all traveling and incidental expenses, is all that should be paid to each of the State Sanitary agents employed under the provisions of the act approved Sept. 11, 1862, entitled "An Act to provide for the appointment of Sanitary agents," &c. &c.

Mr. Andrews of Keokuk, moved to lay the resolution on the table, on which the yeas and nays were demanded and ordered, resulting as follows :

The Yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Baylies, Darby, Fuller, Galland, Hixson, Horton, Jeffries, Mills, McMaken, Parker, Russell of Jones, Sanderson, Skiles, Thompson and Mr. Speaker—19.

The nays were Messrs. Bromley, Buckham, Carey, Carbee, Cort, Close, Clark, Day, Davis, Dorr, Finkbine, Garrett, Glendenning, Green, Gose, Hale, Hildreth, Helm, Holdridge, Joy, Johnson, Logan, Lindsey, Lyons, Magill, Maxwell, Munsell, Moir, McNutt, Nelson, Oliver, Paulk, Perry, Pritchard, Potter, Russell of Washington, Richards, Smith, Spurrier, Van Sandt, Vinton, Weare, Wolf and White—44.

Absent or not voting, Messrs. Bereman, Burke, Brown, Campbell, Christoph, Elliott, Fenn, Fry, Gilchrist, Hurst, King, Knox, Latham, Lathrop, Littler, Lindley, Merriam, Meissner, McCall, McCormack, McKnight, O'Brien, Runyon, Sears, Simpson, Sturgis, Stiles, Stanton and Sweet.

The motion was lost.

Mr. Russell of Washington, moved to amend by adding the words "and that a copy of this resolution be furnished the Governor. Carried.

Mr. McMaken moved to amend by striking out "inclusive," and insert "exclusive."

Mr. Russell of Washington, moved the previous question, which was seconded.

On the question, "Shall the main question be now put?" it was decided in the affirmative.

The motion to adopt the amendment of Mr. McMaken, did not prevail.

The question recurring on the motion to adopt the resolution, the yeas and nays were demanded and ordered, resulting as follows :

The yeas were Messrs. Bromley, Buckham, Carey, Cort, Christoph, Close, Clark, Day, Davis, Dorr, Finkbine, Glendenning, Green, Gose, Hildreth, Helm, Johnson, Logan, Lindsey, Lyons, Magill, Mills, Munsell, Moir, McNutt, Oliver, Paulk, Russell of Washington, Richards, Simpson, Sturgis, Stanton, Spurrier, Vinton, Weare, Wolf and White—37.

The nays were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bell, Baylies, Darby, Fuller, Galland, Hale, Hixson, Horton, Jeffries, Joy, Merriam, Maxwell, McMaken, Parker, Potter, Russell of Jones, Sanderson, Stiles, Smith, Skiles, Thompson, Van Sandt and Mr. Speaker—26.

Absent or not voting, Messrs. Bereman, Burke, Brown, Campbell, Carbee, Elliott, Fenn, Fry, Garrett, Gilchrist, Hurst, Holdridge, King, Knox, Latham, Lathrop, Littler, Lindley, Meissner, McCall, McCormack, McKnight, Nelson, O'Brien, Perry, Pritchard, Ranyon, Sears, and Sweet.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

**MR. SPEAKER:**—I am directed to inform the House that the Senate has passed the following bills:

House File No. 165, "A bill for an Act to amend Sec. 4374, of Chap. 173, of the Revision of 1860," without amendment.

And the accompanying joint resolution relative to measures pending in Congress, whereby it is provided that the Constitution of the United States be so amended as to forever prohibit slavery in any portion of the United States.

In which the concurrence of the House is respectfully asked.

W. F. DAVIS, Secretary of Senate.

The joint resolution relating to amending the constitution, was taken up.

Mr. Russell of Jones moved that the resolutions be adopted, on which the yeas and nays were demanded and ordered, resulting as follows:

The yeas were Messrs. Andrews of Keokuk, Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carbee, Close, Clark, Day, Darby, Davis, Dorr, Fuller, Finkbine, Garrett, Galland, Glendenning, Green, Gose, Hale, Hildreth, Hixson, Helm, Horton, Holdridge, Jeffries, Joy, Johnson, Logan, Lindsey, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, McNutt, Nelson, Oliver, Parker, Potter, Russell of Jones, Russell of Washington, Sanderson, Simpson, Sturgis, Stiles, Stanton, Smith, Skiles, Spurrier, Thompson, Van Sandt, Vinton, Weare, Wolf, White and Mr. Speaker—63.

The nays were Messrs. Carey, Cort, Christoph, O'Brien, Paulk and Richards—6.

Absent or not voting, Messrs. Bereman, Burks, Brown, Campbell, Elliott, Fenn, Fry, Gilchrist, Hurst, King, Knox, Latham, Lathrop, Littler, McCall, McCormack, McKnight, Perry, Pritchard, Runyon, Sears and Sweet.

The motion prevailed.

Senate File No. 151 "A bill for an Act to provide for the better security and collection of debts due to the State of Iowa, or for the use or benefit of the State," was taken up.

On motion, the rule was suspended, the bill read a 3d time, and put upon its passage.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Andrews of Decatur, Bruce, Bromley, Bell, Buckham, Baylies, Carbee, Cort, Close, Clark, Day, Darby, Davis, Fuller, Finkbine, Garrett, Galland, Glendenning, Gese, Hildreth, Hixson, Helm, Horton, Jeffries, Joy, Johnson, Lindley, Magill, Maxwell, Meissner, Mills, Moir, McMaken, Nelson, Oliver, Parker, Paulk, Potter, Russell of Jones, Russell of Washington, Sanderson, Simpson, Sturgis, Stiles, Skiles, Spurrier, Thompson, Van Sandt, Wolf and Mr. Speaker—50.

The nays were Messrs. Carey, Christoph, Green, Hale, Holdridge, Lyons, Munsell, McNutt, O'Brien, Richards, Smith and Weare—12.

Absent or not voting, Messrs. Andrews of Keokuk, Bereman, Burke, Brown, Campbell, Dorr, Elliott, Fenn, Fry, Hurst, King, Knox, Latham, Lathrop, Logan, Littler, Lindsey, Merriam, McCall, McCormack, McKnight, Perry, Pritchard, Runyon, Sears, Stanton, Sweet, Vinton and White.

The bill passed, and the title was agreed to.

Senate File No. 227, "A bill for an Act in relation to enlistments in this State," was taken up. Read a first and second time.

Mr. Oliver moved that the bill be laid on the table. Carried.

Mr. Richards, by leave, offered the following resolution, which was unanimously adopted:

*Resolved, by the House of Representatives of the Tenth General Assembly of Iowa, That we hereby tender to Hon. Jacob Butler, Speaker, our sincere acknowledgments and hearty thanks for the ready, diligent and impartial performance of his arduous duties as presiding officer of this body.*

Mr. Hale offered the following resolution, which was unanimously adopted:

*Resolved by the House of Representatives, That the Clerks, Sergeant-at-arms, Doorkeeper, Messengers, Paper-Folders, Firemen, and the present Postmaster of this House are entitled to the thanks of this body for their uniform courtesy and kindness; for the promptness, efficiency and impartiality with which they have dis-*

charged their several duties, and that we hereby tender them respectively our kindest wishes for their future welfare and prosperity.

The House joint resolution, relating to additional mail facilities, with the Senate amendments, was taken up.

On motion, the amendments were concurred in.

Senate File No. 223, "A bill for an Act to amend Sec. 927, of the Revision of 1860, and providing for appointing agents in certain cases," was taken up, and, on motion, the bill was laid on the table.

A committee from the Senate, consisting of Senators Foot and Jennings announced that they had been appointed a committee on the part of the Senate to wait upon the Governor and inform him that the Senate was ready to adjourn, and enquire whether he has anything further to communicate, and asked that a similar committee be appointed on the part of the House.

The Speaker appointed Messrs. Hale and Paulk as committee on part of the House.

Substitute for Senate File No. 162, "A bill for an Act changing the time for holding courts in the 5th Judicial District," was taken up, with the House amendments, which the Senate refused to concur in.

On motion, the House recessed from its amendments.

On the question "Shall the bill pass?" the yeas and nays were as follows:

The yeas were Messrs. Bruce, Bromley, Buckham, Baylies, Carbee, Darby, Davis, Fuller, Finkbine, Galland, Glendenning, Green, Hale, Hildreth, Helm, Holdridge, Jeffries, Joy, Johnson, Logan, Lyons, Merriam, Magill, Maxwell, Meissner, Mills, Munsell, Moir, McMaken, Oliver, Parker, Paulk, Perry, Pritchard, Potter, Russell of Jones, Russell of Washington, Richards, Sanderson, Sturgis, Stiles, Stanton, Smith, Skiles, Thompson, Van Sandt, Vinton, Weare, Wolf and Mr. Speaker—50.

The nays were Messrs. Bell, Carey, Cort, Christoph, Close, Clark, Day, Garrett, McNutt, Nelson, and O'Brien—11.

Absent or not voting, Messrs. Andrews of Keokuk, Andrews of Decatur, Bereman, Burke, Brown, Campbell, Dorr, Elliott, Fenn, Fry, Gose, Gilchrist, Hixson, Horton, Hurst, King, Knox, Latham, Lathrop, Littler, Lindley, Lindsey, McCall, McCormack, McKnight, Ranyon, Sears, Simpson, Spurrier, Sweet and White.

The bill passed and the title was agreed to.

Mr. Bromley offered the following resolution, which was adopted:

*Resolved*, That the thanks of this House is due, and is hereby tendered to the several State officers, and their subordinates, for their alacrity and kindness in responding to the wishes and requests of the members of this body.

\* The Joint Resolution relating to care and control of the State property, was taken up, and on motion, was concurred in.



Mr. Hildreth offered the following resolution :

*Resolved*, That the thanks of the House be tendered the several clergymen of Des Moines, for their faithful services as chaplains of this body. Adopted.

Mr. Hale offered the following resolution, which was adopted.

*Resolved*, That the thanks of this House be tendered to the Hon. R. S. Finkbine, for the able and impartial manner with which he discharged the duties of Speaker during the time he occupied the Chair.

Mr. Horton, from committee on Enrolled Bills, made the following report :

MR. SPEAKER :—The Committee on Enrolled Bills, beg leave to report that they have examined Senate Files Nos. 172, 229, 186 and 207, and Joint Resolution in reference to Monona County, find them correctly enrolled, and present the same for your signature, and have presented House Files Nos. 80, 96, 46, 73, 165, 186 and 207, to the Governor.

HORTON, Chairman.

The committee appointed to wait upon the Governor, announced that they had performed their duty, and that the Governor had no further communications to make at this time.

Mr. Horton submitted the following reports :

MR. SPEAKER :—The Committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 239, 141, 237 and 208, and House File No. 152, find them correctly enrolled, and present the same for your signature.

HORTON, Chairman.

Mr. Horton submitted the following report :

MR. SPEAKER :—The Committee on Enrolled Bills beg leave to report that they have examined Senate Files Nos. 221, 210 and 233, House File No. 142, and Joint Resolution asking certain amendments to the constitution, and Joint Resolution to correct Joint Resolution in relation to claim of S. T. Pierce, find them correctly enrolled, and present the same for your signature.

HORTON, Chairman.

Mr. Paulk offered the following resolution, which was adopted.

*Resolved*, That this House present to the Speaker as a slight testimonial of our esteem the chair which he has so ably filled.

On motion, a committee of two was appointed to wait upon the Senate and inform them that the House is now ready to adjourn *sine die*."

The Speaker appointed as said committee Messrs. Stiles and Richards.

The committee returned and announced that they had attended to their duty, and asked to be discharged.

## MESSAGE FROM THE SENATE.

MR. SPEAKER:—I am directed to inform the House that the Senate has laid on the table the House Joint Resolution appointing Trustees of the Iowa State University.

WM. F. DAVIS, Secretary of Senate.

MR. SPEAKER:—The committee on Enrolled Bills report that they have examined Senate Files Nos. 151, 169 and 198, find them correctly enrolled, and present the same for your signature.

Have presented House Files Nos. 142 and 152, to the Governor.

HORTON, Chairman.

Messrs. McCrary of Van Buren, and Knoll, a committee from the Senate, announced that the Senate were now ready to adjourn "*sine die*."

Mr. Russell of Jones, moved that the House do now adjourn "*sine die*."

Before announcing the vote the Speaker said :

*Gentlemen of the House of Representatives :*

I should do injustice to my deep sense of obligation to you, if at the close of our labors I did not tender to you my most heartfelt thanks for the uniform and generous support you have given to me in the discharge of the arduous duties of the chair. It does not become me to speak, nor any one of us to judge of the amount of good our labors will confer upon the people of the State. Trusting that comparison with those who have preceded us, may not be unfavorable to ourselves as Legislators, I can say for myself, that I shall always esteem it as among the blessings of my life to have been so intimately associated with those whose labors have been so closely identified with the laws and progress of our State.

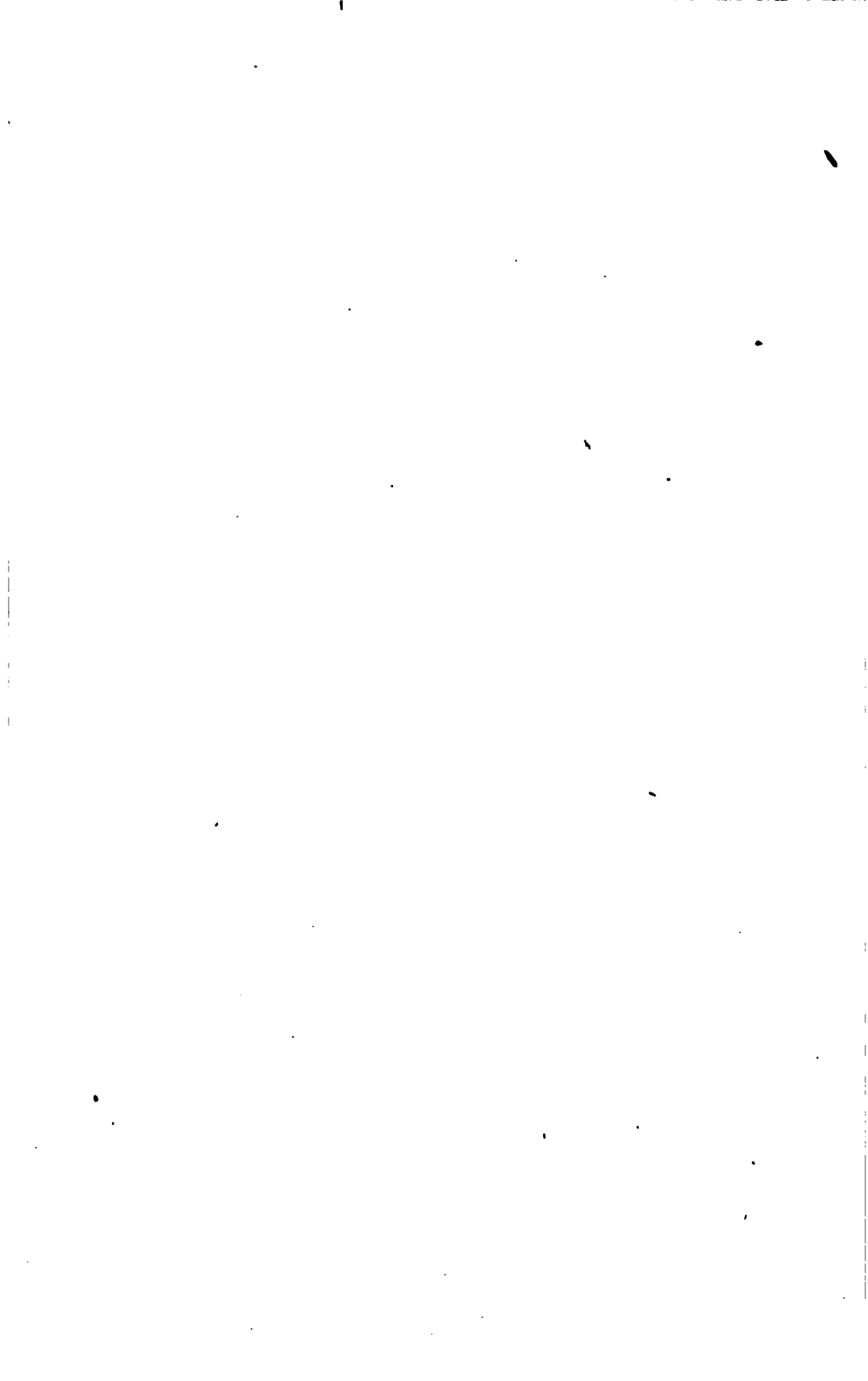
I rejoice, gentlemen, particularly, that while there has been wide difference of judgment as to the effect and wisdom of many of the measures that have been before us for consideration, no representatives could have risen more completely above mere partisan considerations and partisan ties than you have.

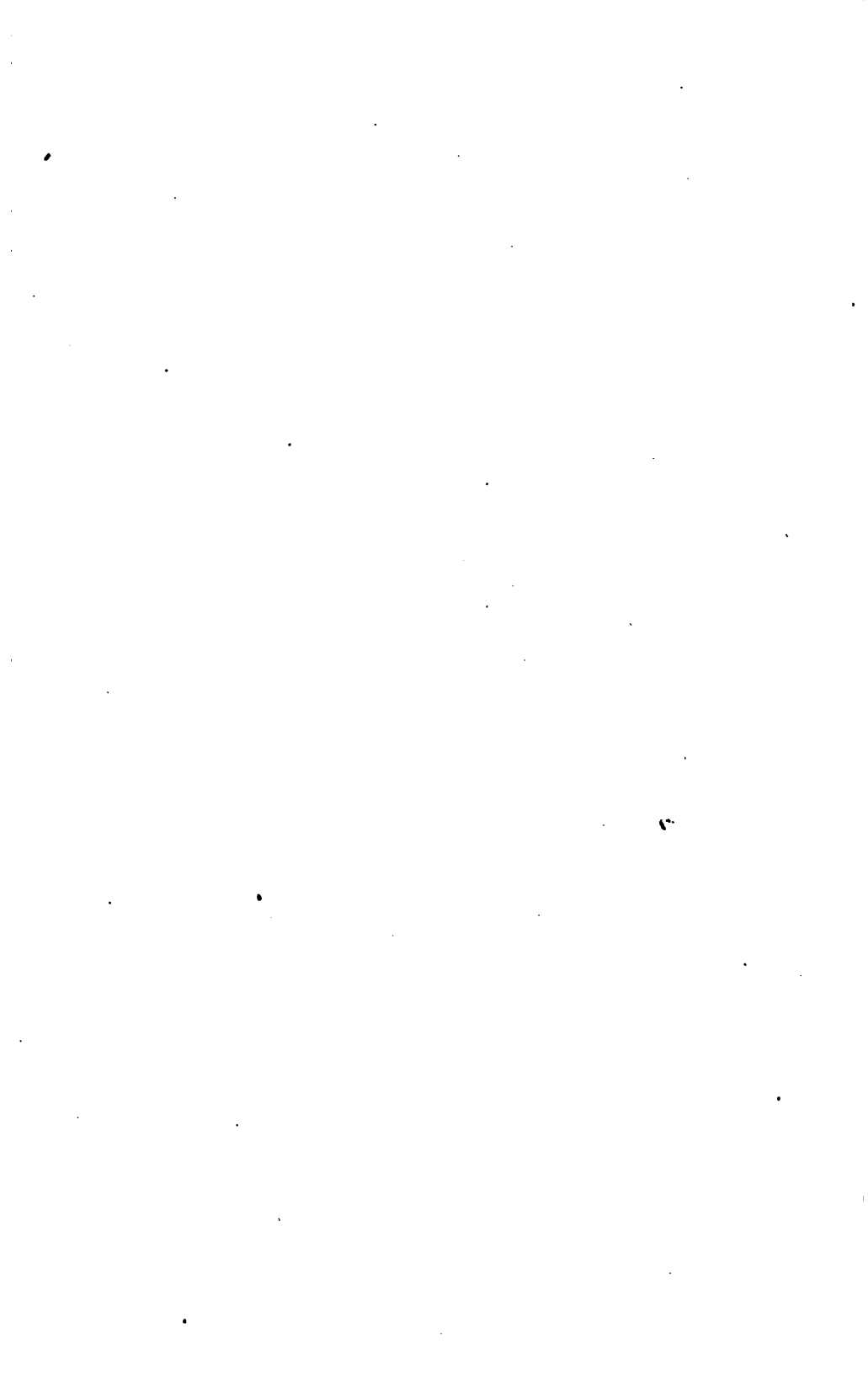
We part, gentlemen, while the dark cloud of war still lowers over our beloved country, but blessed be Him who was the trust of our fathers, and has been the trust of our race since the flood, the bow of promise for our country shines as clear in the heavens as does the form of that on which the promise of "seed time and harvest" is founded.

Wishing you, one and all, gentlemen, a safe return to your homes, I bid you farewell, and now announces the adjournment of the House without day.

Attest:

JACOB RICH, Chief Clerk.





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